

**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : SIC/LPR.13/2016
Appellant : Shri Rajen Dutta
Respondent : The SPIO, O/o the Assistant Executive Engineer,
Dhakuakhana Water Resources Division
Date of hearing : 01.03.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
01.03.2017

Shri Lakhya Jyoti Deori, APIO/Junior Engineer, Dhakuakhana Water Resources Division is present.

A Written Statement dated 27.02.2017 has been received from the SPIO, O/o the Assistant Executive Engineer, North Lakhimpur Water Resources Sub-Division.

The Appellant, Shri Rajen Dutta is present. He submitted that the SPIO has furnished him with some information after receiving the Commission's Hearing Notice. However, the information was incomplete and he has not been given an opportunity to inspect the records in the office which was requested for by him.

In his deposition, he reiterated the same.

Heard the APIO. He submitted that in response to the RTI Application dated 28.09.2015 some information/documents had been furnished to him by post through a letter dated 13.10.2015 and cost of photocopying was sought in respect of the remaining documents.

The Appellant submitted that he had not received the said letter and had not deposited the fund asked for.

The SPIO was then allowed to hand over a copy of the said letter of 13.10.2015 in connection with the information.

After having gone through the said documents, the Appellant submitted that he would prefer to inspect the remaining documents and the part relating to SDRF work be transferred to the Deputy Commissioner, Lakhimpur instead of his submitting another Application as advised by the SPIO.

From deposition and the perusal of case records, it is seen that the documents related to the information sought for is likely to be voluminous and the Appellant has requested to be allowed to inspect the records. It would also be appropriate for the SPIO to transfer that part of the RTI Application in respect of which the holders of the information/documents are other than him.

In view of the facts brought out above, the Commission hereby orders as follows-

- (i) The SPIO, O/o the Assistant Executive Engineer, Dhakuakhana Water Resources Division shall allow the Appellant to inspect the records in his office during office hours to enable him to verify, and take notes etc., certify extracts taken by the Appellant from office records and indicate the essential documents whose photocopies would be required by him. As the stipulated period of furnishing the information has long elapsed, the SPIO shall furnish the information free of cost, within 10 days, the documents upto 50 copies, and the cost of photocopies of additional documents shall be borne by the Appellant. The date of such inspection shall be decided according to mutually convenience between the SPIO and the Appellant, and the inspection shall be completed within 3 days of starting of the said inspection.

(ii) The said SPIO shall transfer the part of the RTI Application of Shri Rajen Dutta dated 28.09.2015 to the appropriate SPIO of the Public Authority who is the holder of the information as soon as practicable but in no case later than 5 days from the date of receipt of the Commission's order. As submitted by the APIO during the hearing, the SPIO, O/o the DC, Lakhimpur is the concerned SPIO in this case. On receipt of the Application the SPIO, O/o the DC, Lakhimpur shall furnish the information sought for within 30 days of stipulated by the said Act.

The Second Appeal is hereby disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Sd/-

Dy. Registrar
Assam State Information Commission

Memo No. SIC/LPR.13/2016

Dtd. 01.03.2017

Copy to:

1. The SPIO, O/o the Assistant Executive Engineer, Dhakuakhana Water Resources Division, Dist- Lakhimpur, Assam for information and necessary action.
2. The SPIO, O/o the Deputy Commissioner, Lakhimpur, Assam for information and necessary action.
3. The First Appellate Authority/The Executive Engineer, Dhakuakhana Water Resources Division, Dhakuakhana, Dist- Lakhimpur, Assam for information.
4. Shri Rajen Dutta, S/o- Shri Kanlora Dutta, Vill- Kamar Gaon, PO- Dhakuakhana, Dist- Lakhimpur for information.
5. Computer Section for uploading in the Website.
6. Office File.

Dy. Registrar

Assam State Information Commission