



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

Case No. : SIC/CCR.130/2014  
Appellant : Shri A.K. Laskar, General Secretary, A.C.R.D.O.  
Respondent : The SPIO, office of the Executive Engineer,  
PWD, Road Division, Cachar, Assam.  
Date of hearing : 08.03.2017  
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
08.03.2017

The petitioner Shri A.K. Laskar has submitted a Written Statement dtd. 06.03.2017 that his mother is seriously ill and is unable to attend the hearing on 08.03.2017. He also stated that he had filed RTI petition dtd. 29.04.2014 before the SPIO, office of the Executive Engineer, PWD, Road Division, but the SPIO had not provided any information till date. As such he filed 1<sup>st</sup> Appeal petition before the Executive Engineer, PWD, Road Division, but the 1<sup>st</sup> Appellate Authority did not furnish any information till date. Hence, he has requested the Commission to take necessary steps u/s 20 (1) of the RTI Act, 2005.

On perusal of records, it is seen that the notice sent to the 1<sup>st</sup> Appellate Authority Executive Engineer, PWD, Road Division, Cachar through Speed Post has been returned with a remark "*Addressee out of station*". It is also seen that the notice addressed to the SPIO, office of the Executive Engineer, PWD, Road Division, Cachar was sent in same envelope. The SPIO, office of the Executive Engineer, PWD, Road Division, Cachar is directed to explain, why the envelope containing notice addressed to the 1<sup>st</sup> Appellate Authority, Executive Engineer, PWD, Road Division, Cachar was not received.

On perusal of the records, it is seen that the petitioner had filed RTI petition dtd. 29.04.2014 before the Executive Engineer, PWD, Road Division, Cachar seeking for information on number of roads implemented under PMGSY Scheme for the year 2008-09 to 2014-15, amount sanctioned along with sanction letter, amount pending to be utilized due to incomplete road, copy of advertisement in daily newspaper, copy of plan and estimate and all other details related to PMGSY Scheme.

The ASPIO, office of the Executive Engineer, PWD, Road Division, Silchar vide letter dtd. 22.05.2014 informed the petitioner that the RTI petition dtd. 29.04.2014 cannot be treated as RTI application as same has not been supported with requisite fee as per RTI (fee & cost) Rules, 2005, hence, the application stands rejected. The requisite fees deposited as per RTI Act, 2005 is available on record at serial page No. 3 - 4<sup>c</sup>.

Re-fix: 11.04.2017 for hearing.

Sd/-  
Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Registrar i/c  
Assam Information Commission

Memo No. SIC/ CCR.130/2014/ 8 -A

Dtd. 08.03.2017.

Copy to:

1. The SPIO, office of the Executive Engineer, PWD, Road Division, Cachar, Pin – 788 001, Dist. Cachar, Assam for information and necessary action.
2. The First Appellate Authority/Executive Engineer, PWD, Road Division, Cachar, Pin – 788 001, Dist. Cachar, Assam for information and necessary action.
3. Shri A.K. Laskar, General Secretary, A.C.R.D.O., Vill. & P.O. – Nearigram, Dist. – Cachar, Pin – 788 013, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Registrar i/c

Assam Information Commission