



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

Case No. : SIC/DRN.23/2017
Appellant : Md.Mujafar Hussain
Respondent : The SPIO, O/o the Block Dev. Officer, Pub Mangaldai Dev.
Block, Darrang
Date of hearing : 14.07.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R

14.07.2017

Shri Raihanur Rahman, Junior Engineer/SPIO, Shri Sayed Nahidur Rahman, Block Dev. Officer/Programme Officer, Shri Akhtar Hussain, Assistant Engineer, Pub Mangaldai Dev. Block, Dhula, Darrang and Shri Matlebuddin Ahmed, Secretary, Balabari Gaon Panchayat are present.

The Appellant, Md. Mujafar Hussain is present.

A Written Statement dated 01.07.2017 has been received from the First Appellate Authority/Chief Executive Officer, Darrang Zilla Parishad.

Perused the Written Statement of the CEO/FAA. It is seen that on receipt of the First Appeal, the Secretary of the Balabari G.P. was directed in writing to furnish the information within 7 days.

Heard the Appellant. He submitted that he had not received the information or any communication from the SPIO, O/o the Pub Mangaldai Dev. Block to whom he had submitted his Application dated 01.09.2016.

Heard the SPIO. It was submitted that said Application was transferred to the Secretary of the concerned G.P. namely Balabari G.P. through a letter dated 08.09.2016 with a copy to the Applicant. A copy of the said letter has been submitted. The Secretary of the said G.P. received the Application on the same day, i.e. on 08.09.2016 and wrote a letter dated 27.09.2016 requesting the Applicant to deposit an amount of Rs. 2500/- (Rupees two thousand five hundred) being the approximate cost of the photocopying of documents. A copy of the said letter has been submitted.

The SPIO produced evidence of delivery of the said letter to the addressee by a messenger.

The Appellant submitted that he had received neither the endorsement of the letter from the SPIO nor the letter from the Secretary of the said G.P.

The SPIO thereafter offered copies of certain documents containing the information sought for. He was allowed to hand over the same to the Appellant during the hearing. The Appellant stated that prima facie the documents contained the information excepting for the period from April 2016 to July, 2016. He prayed for time to check the documents so received.

In view of the facts brought out above, the Commission hereby orders that, should any part of the information is wanting, the Appellant shall intimate to the Secretary of the said G.P. within 7 days of receipt of this order, and that the Secretary of the G.P. shall furnish the wanting information within 10 days of receiving the said communication. Further, if the documents/records are voluminous, the Secretary will allow their inspection by the Appellant on mutually convenient date. Further, the cost of photocopying any further documents shall be borne by the Appellant considering the fact that Secretary of the G.P. had initially communicated the cost of photocopying to the Applicant within 30 days and that copies of considerable number of documents have been provided to him today free of cost.

The Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to move this Commission, if he is aggrieved by the response of the SPIO.

Sd/-
Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam State Information Commission

Memo No. SIC/DRN.23/2017/30-A

Dtd. 14.07.2017

Copy to:

1. The SPIO, O/o the Block Dev. Officer, Pub Mangaldai Dev. Block, Dhula, PO- Dhula, Dist- Darrang, Assam, Pin- 784 146 for information and necessary action.
2. The SPIO, O/o the Secretary, Balabari Gaon Panchayat, PO- Balabari, Dist- Darrang, Pin- 784 146, Assam for information and necessary action.
3. The First Appellate Authority/Chief Executive Officer, Darrang Zilla Parishad, Darrang, Mangaldai, PO- Mangaldai, Dist- Darrang, Assam, Pin- 784 125 for information.
4. The Appellant, Md. Mojufar Hussain, C/o- Lt. Alep Hussain, Vill- No 1 Thekrabari, PO- Balabari, PS- Dhula, Dist- Darrang, Assam, Pin- 784 146 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Joint Registrar
Assam State Information Commission