



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

Case No. : MRN.12/2017
 Complainant/ Appellant : Shri Nityanda Goswami
 Respondent : BDO, Batadrava Dev. Block, Dhing, Morigaon.
 Date of hearing : 11.08.2017
 Complaint/ Second : Shri H. S. Das, IAS (Rtd)
 Appeal heard by : Chief Information Commissioner, Assam

O R D E R

11.08.17

The petitioner Shri Nityananda Goswami is present. He has sent a written prayer requesting conversion of his complaint petition dated 15.7.2017 into second appeal petition as he is still interested in getting the sought for informations. The public authority to be represented by the SPIO of the office of the Block Development Officer (BDO), Batadrava Development Block is absent. However, he has sent a written submission dated 1.8.17, which is entered into the case records.

From perusal of the case records it is seen that the petitioner filed an RTI petition dated 20.3.17 before the SPIO of the office of the BDO of Batadrava Development Block. The BDO vide letter dated 29.3.17 informed the petitioner that informations sought for by him, which relate to the quantity of construction materials, viz., stone, sand, etc., used by the Batadrava Development Block and against which, amount of royalty and VAT deposited to the State exchequer are available with him. So also the copies of relevant challans and fees. By the same letter the BDO requested the petitioner to visit his office and note down the required informations. The petitioner was also informed that if he wants the informations in written form then he will have to deposit Rs. 3000.00 and excess amount if any, will be refunded. But the petitioner, instead of visiting BDO's office to inspect the records in response to the invitation from the BDO, filed his first appeal petition dated 28.4.17 complaining that the amount of Rs. 3000.00 is excessive. The BDO wrote to the petitioner vide letter dated 20.5.17 stating that the papers, records and documents relating to the FY 2012-13 have been seized by the Vigilance and so the sought for information for that year could not be furnished. The BDO furnished the informations regarding the royalty and VAT deposited to the State exchequer and quantity of materials in terms of Cu.M. Breakup of the quantity of stone and sand was not mentioned. As regards copies of TPs and challans, the BDO mentioned that they are available in the office and requested the petitioner to come and collect photocopies of the same. It appears that the petitioner, for reasons best known to him, has not so far visited the office of the BDO. This Commission, therefore, directs the BDO, Batadrava Development Block to allow the petitioner to inspect all relevant records and documents, including year-wise break-up of the quantity of stone and sand,

and any available records including the seizure list in respect of FY 2012-13 within 15 days from the date of receipt of this order and allow the petitioner to take notes thereof and photocopies of documents free of cost up to 50 pages and thereafter against payment of Rs. 2.00 for every additional page of photocopy thereafter.

With the above order, the second appeal petition dated 15.7.17 is disposed of.

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/MRN.12/2017/

Dtd. 11.08.2017

Copy to:

1. The Block Development Officer, Batadrava Development Block, PO-Dhing, Dist. Nagaon, Assam, PIN-782123 for information and necessary action.
2. Shri Nityananda Goswami, Vill- Kujisatra, PO- Sipukhuri, Dist. Morigaon, Assam, PIN- 782 123 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission