

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : KP(M).537/2014
Complainant/ Appellant : Smti Sakila Aktar Choudhury
Respondent : BDO, Kalain Development Block
Date of Hearing : 22-9-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
22-9-2017

1. The appellant/petitioner Smti Sakila Aktar Choudhury is absent. She has authorized Md. Sarif Uddin to attend the hearing today on her behalf. Md. Sarif Uddin is present. The public authority is represented by Sri Manzoor Elahi Borbhuyan, Circle Officer, Katigorah and BDO I/C Kalain Development Block.
2. The second appeal petition dated 28-11-2014 is taken up for further consideration in pursuance of this Commission's earlier orders, the latest one being dated 21-8-2017.
3. The BDO I/C Kalain Development Block furnished a copy of his letter dated 22-9-2017 addressed to Smti Sakila Aktar Choudhury furnishing the required informations to the petitioner. He handed over the said letter along with all the enclosures to the authorized representative of the RTI petitioner in presence of this Commission today. The petitioner's authorized representative also acknowledged receipt of the same with his signature.
4. In his letter dated 22-9-2017 the BDO I/c has clearly mentioned that the records relating to implementation of IAY Scheme for Burunga G.P is not available for the years 2001-2002 to 2004-2005 in the Kalain Development Block as well as in the G.P Office. The BDO I/c has furnished the sought for informations from the available records for the years 2005-2006 to June, 2014 in respect of point No,-1 of her RTI petition dated 10-1-2014. In view of the record availability position clearly stated by the BDO I/c , Kalain Development Block, ***the petitioner is at liberty to pursue the matter further, if she wants to do so, with reference to the relevant provisions of the Assam Public Records Act, 2002.***
5. As regards point No. 2 , the BDO I/c has furnished the BPL list of the entire Burunga G.P as per BPL family census, 2002. The authorized representative of the RTI applicant stated orally that the applicant wanted to know the wait-list of BPL families who were yet to get allotment of IAY houses as on the date of the RTI petition i.e., 10th January, 2014. It was pointed out to him that in the RTI petition the petitioner asked for the detailed list of Burunga G.P with effect from the year 2001 to June 2014 along with the BPL waiting list. It is apparent that point No. 2 of the RTI petition was not

correctly framed and the informations sought for was not specific as is required under Section 6(3) of the RTI Act, 2005. After receiving the BPL list as per 2002 BPL family census the petitioner may file fresh RTI application to the BDO, Kalain Development Block to get the information regarding BPL families who were wait-listed as on 10th January, 2014 , i.e., the date of the RTI application, for allotment of IAY houses.

6. Regarding point No. 3 the BDO I/c has provided clear and specific information vide his letter dated 22-9-2017 to the RTI applicant.

7. After receiving the informations furnished by the BDO I/C today the authorized representative of the petitioner submitted that after going through the informations furnished, if the prtioner needs any further clarification she may like to revert back to this Commission. In this regard, this Commission directs the petitioner to approach the BDO, Kalain Development Block within 30 days from the date of this order, which was pronounced before both the parties, if she needs any further clarification within the scope of the RTI petition dated 28-11-14.

The BDO I/C Kalain Development Block is also directed to furnish necessary clarifications within the ambit of the RTI petition, including inspection of relevant records by the petitioner during office hours on any working day within 30 days from the date of this order.

8. With the above order the second appeal petition dated 28-11-2014 is disposed of.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M). 537/2014/

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Dated 22-9-2017

Copy to:-.

- 1) Sri Manzoor Elahi Borbhuyan, Circle Officer, Katigorah and BDO I/C Kalain Development Block.for information and necessary action , as ordered above.
- 2) Smti Sakila Aktar Choudhury,Block-F-101, Natboma, Housefed Complex, Hatigaon, Guwaahiti-38 for information and necessary action, as ordered above.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar

Assam Information Commission