

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

Case No. : KP(M).869/2017
Complainant : Shri Dulal Bora
Respondent : Planning & Development Deptt., Govt. of Assam, Dispur
Date of hearing : 01.11.2017
Complaint/ Second : Smti. N.A. Hazarika, IAS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R

01.11.2017

The petitioner Shri Dulal Bora is absent without any intimation. The public authority is represented by Smti. Sandita Baruah Bora, Joint Secretary, Govt. of Assam & SPIO of Transformation & Development Department (T&D). She has submitted a statement showing steps taken in respect of RTI petition dated 9.8.16 filed by Shri Dulal Bora. The second appeal petition filed before the Commission on 14.7.17 is taken up for hearing.

The RTI application was received in the Transformation & Development (T&D) Department as transferred from the SPIO of the office of the Chief Secretary, Govt. of Assam on 20.8.16. The application was forwarded to the Director (PC), T&D Department for furnishing the information directly to the petitioner. The Director (PC) again forwarded the application to the Addl. Secretary, Higher Education Department as the matter was related to Assam Sahitya Sabha. The SPIO present verbally submitted that no complaint petition as stated has been received by them except a copy of letter dated 7.3.15, which is not a complaint petition, but a prayer to increase allocation of fund for Assam Sahitya Sabha from Rs. 42 lakh to Rs. 80 to 90 lakh which would help improve the financial condition of Assam Sahitya Sabha. Since there was no complaint there was no question of any enquiry being conducted, related file thereof on enquiry against any accused, etc.

In view of above, the Commission holds that the SPIO's oral response is reasonable and is in accordance with the RTI Act, 2005. The Commission is of the view that the SPIO should have intimated the above position to the petitioner directing him to intimate the position within a week of receipt of this order. The Commission has also observes that if the petitioner chooses, he may file an application before the SPIO spelling out clearly the information sought for as per section 2(1) either by pin pointing the file, documents, records, etc. or by mentioning the type of information as may be available with the specified public authority

With the above direction the second appeal petition dated 24.1.17 is disposed of.

(N.A. Hazarika)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Joint Registrar
Assam Information Commission

- Copy to:
1. The Joint Secretary to the Govt. of Assam & SPIO, Transformation & Development Department, Dispur, Guwahati-6 for information.
 2. The First Appellate Authority/ Chief Secretary, Govt. of Assam, Dispur, Guwahati-6 for information.
 3. Shri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
 4. Computer Section for uploading in the Website.
 5. Office File.
 6. Order Book.

Joint Registrar
Assam Information Commission