



OFFICE OF THE

ASSAM INFORMATION COMMISSION**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : NGN.228/2017
Complainant/ Appellant : Sri Nakul Saikia
Respondent : S.E. Nagaon Circle, Irrigation.
Date of Hearing : 30-1-2018
Complaint/ Second appeal heard by : Shri H. S. Das, IAS (Retd)
Assam : State Chief Information Commissioner, Assam

O R D E R
30-1-2018

1. The appellant/petitioner Sri Nakul Saikia is present. The public authority is represented by Sri Srimanta Mohan Hazarika, Executive Engineer, Koliabor and Integrated Kollong Division (Irrigation) , Nagaon, Assam and Smti Alaka Rani Deka, Asstt. Executive Engineer(T.C) of the same Irrigation Division.
2. The second appeal petition dated 11-11-2017 which was re- submitted after completing the verification of the documents is taken up for hearing in presence of both the parties.
3. The Executive Engineer, Kollong and Integrated Kollong Irrigation Division, Nagaon submitted a written statement dated 25-1-2018 which is entered into the case records.
4. From perusal of the case records it is seen that the petitioner filed an RTI petition before the Superintending Engineer of Nagaon Circle (Irrigation) Division, Govt. of Assam seeking the following informations :
 - (i) **Photocopy of Measurement Book (MB) No. 18/2009 from page No. 42-56 ;**
 - (ii) **Photocopy of T.S estimate of M&R, Missamukh Lift Irrigation-LP scheme for the year 2014-2015.**
5. The Executive Engineer brought with him a copy of letter No. SEI/W/52/2014-15/508 dated 8-5-2014 from the Superintending Engineer, Nagaon Circle of Irrigation Division to the Executive Engineer of Koliabor and Integrated Kollong Division (Irrigation), Nagaon, on the subject – Improvement of canal system of Missamukh (Lt) L.P under M&R for the year 2014-15 and handed over the same to the petitioner before this Commission today.

6. He also brought with him the original M.B No. 18/2009 of Nagaon , KKAD Division (Irrigation), Nagaon , Missamukh. It is seen that page No. 42-56 of the said original M.B are blank. Vide letter No. KKID/RTI/Act-1/Pt-I/400 dated 19-4-2017. The Executive Engineer of Kaliabor and Integrated Kollong Division (Irrigation) furnished certified copies of M.B No. 18/2009 to the petitioner. All those pages were also blank.
7. However, the petitioner produced before this Commission today copies of pages No. 42-56 of the said MB No. 18/2004, which he claims to have obtained at the time of measurement of the work done by him under the Lift Irrigation Scheme mentioned above. The petitioner alleged orally that the original pages of the M.B have been replaced with blank pages. This Commission takes the view that it will need a proper investigation to ascertain the veracity of the allegations made by the petitioner which is beyond the scope of the present RTI second appeal case. For this the petitioner may approach other competent authorities.
8. This Commission would, however, put on record that the individual pages of the MB contain only the page numbers without mentioning the book number. The copies of M.B pages containing measurement records produced by the petitioner also has only the page Nos. only and not the Book Nos. Without the Book Nos on every page, the possibility of tampering with pages of the Measurement Book cannot be ruled out.
9. The petitioner also wanted to know the reasons for non- payment of his bills which were executed more than two years' and six months' back. The Executive Engineer of Kaliabor and Integrated Kollong Division, (Irrigation), Nagaon, Assam is directed to inform the petitioner within 15 days from the date of receipt of this order the present position regarding payment of the pending bills of the petitioner against the above mentioned project.
10. With the above order the second appeal petition dated 11-11-2017 is disposed of.

Sd/-

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Sd/-
Registrar
Assam Information Commission

Memo No SIC/ NGN.228/2017/

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Dated 30-1-2018

Copy to:-.

- 1) Sri Srimanta Mohan Hazarika, Executive Engineer, Koliabor and Integrated Kollong Division (Irrigation) , Nagaon, Assam for information and necessary action as ordered above.
- 2) Nakul Saikia P.A holder of M/S Saikia Enterprise, P.O-Kampur, Ward No -4 (near Circle office) Dist Nagaon, Assam, PIN-782426 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar
Assam Information Commission