

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

Case No. : SIC/DBR.26/2017
Appellant : Shri Jadumoni Boruah
Respondent : The SPIO, O/o the Sonowal Kachari Autonomus Council,
Dibrugarh, Assam

Date of hearing : 13.02.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
13.02.2018

The Appellant, Shri Jadumoni Boruah is present.

The SPIO absent without information. He/she has not submitted any Written Statement and also has not explained as to why penalty U/S 20 (1) of the RTI Act, 2005 should not be imposed on him/her for his/her failure to furnish the information within the time stipulated.

The First Appellate Authority/Principal Secretary, Sonowal Kachari Autonomous Council, Dibrugarh has not apprised the Commission about the steps he might have taken to dispose of the First Appeal in accordance with the RTI Act, 2005.

Heard the Appellant. He submitted that subsequent to filing of his Second Appeal dated 16.11.2017 he received from the SPIO the information relating to the first of the four points of his Application. Regarding the second point, more time has been sought on the plea that information/documents was voluminous. As regards point number 3, that related to work done under the constituency development schemes in respect of each Council Members, it has been stated that there was no constituencywise schemes and work is implemented as proposed by the Members and approved by the Council. As regards the last point, it has been stated that the banking information relates to the third parties and therefore consent has been sought. A copy of the letter dated 01.11.2017 written to the members has been enclosed.

The Appellant clarified that he had sought information on the amount of salary paid to the CEM, EMs and the other Members and not any bank related information and therefore the letter of the SPIO to those individual was not appropriately worded.

Perusal of the Application for information bears out the submission of the Appellant.

The Commission hereby observes that as the information on the salary paid to the aforementioned officials of the Council are a matter of official record, the same is not covered under the non-disclosure provision of the RTI Act, 2005. As regards point number 3, the Public Authority is duty-bound to furnish the information relating to the work done in the Council area regardless of the procedure for their approval.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall furnish the remaining information to the Appellant namely, the information relating to the point numbers 2, 3 and 4 to the Application for information dated 16.08.2017, within 15 days of receiving this order, 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 with the response of the SPIO.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/DBR.26/2017/

Dtd.13.02.2018

Copy to:

1. The SPIO, O/o the Sonowal Kachari Autonomous Council, Dibrugarh, PO- Milan agar, Dist- Dibrugarh, Assam, Pin- 786 001 for information and necessary action.
2. The First Appellate Authority/ Principal Secretary, Sonowal Kachari Autonomous Council, Dibrugarh, PO- Milan agar, Dist- Dibrugarh, Assam, Pin- 786 001 for information.
3. The Appellant, Shri Jadumoni Boruah, Nakhat Nagaon, Dist- Dibrugarh, PO- Nakhat, Pin- 785 676, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission