



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

Case No. : SIC/DBR.28/2017
Complainant : Shri Amrit Borah
Respondent : The SPIO, O/o the Sonowal Kachari Autonomus Council,
Dibrugarh, Assam

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

O R D E R
13.02.2018

The Appellant/Complainant, Shri Amrit Borah 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/Complainant. He submitted that he was yet to receive the information and therefore requested in writing to treat his Complaint as an Appeal. He further submitted that the SPIO had informed him through a letter dated 20.09.2017 that the cost of photocopying documents to be supplied to him was payable by him and that he had responded through a letter dated 06.10.2017 offering to make the payment. He further added that as there was no estimate of the cost of photocopying, he had visited the office and requested for the same and the specific amount to be paid by him but that the Respondents were unable to give him the information. There was no further communication from the Public Authority.

In the absence of the SPIO or the FAA/Principal Secretary, Sonowal Kachari Autonomous Council, Dibrugarh or any Written Statement, the Commission could not ascertain the views of them.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall furnish the information/authenticated copies of documents to the Appellant, free of cost, within 15 days of receiving this order. The Commission observes that it would not be reasonable to ask the Appellant to bear the cost of photocopying now, considering that the Respondent have not provided an estimate of the cost as required by the RTI Act, 2005 and that the information was not provided within the stipulated time.

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

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 Amrit Borah, Vill- Hatibandha, PO- Hatibandha, Dist- Dibrugarh, Assam, Pin- 786 103 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission