



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

Case No. : SIC/NGN.229/2017
Appellant : Shri Mukesh Saikia
Respondent : The SPIO, O/o the Secretary, Chabukdhora Gaon Panchyat,
Morigaon
Date of hearing : 15.02.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
15.02.2018

Shri Dimbeswar Sarma Baruah, SPIO/Secretary, Chabukdhora Gaon Panchayat, Morigaon is present.

The Appellant is absent without information.

A Written Statement dated 30.01.2018 has been received from the First Appellate Authority/Project Director, DRDA, Morigaon.

As the Respondent is present and a Written Statement received from the FAA, the Commission decided to conduct the hearing proceedings *ex parte* of the Appellant.

Perused the Written Statement. The fact of disposing of the First Appeal dated 28.06.2017 relating to the Application for information dated 21.03.2017 on 25.08.2017 has been detailed. The GP Secretary was directed to provide information within 11.09.2017.

Heard the Secretary of the GP. He submitted that the period relating to which information has been sought was prior to his taking over as the Secretary of the GP and that he has furnished the information as available in his office. He had searched for the relevant records in compliance with the order of the FAA and furnish another communication dated 08.09.2017 giving a pointwise information and stated that certain documents like bank passbook and audit report could not be traced.

Perusal of the Second Appeal indicates that the Appellant has acknowledged receipt of the letters from the Secretary of the GP. However, he has stated that he has not received the copies of the documents stated to have been enclosed. As regards the information/documents relating to the financial year 2009-10 stated to have not been found, he suspects large scale of irregularities.

Considering the submissions mentioned above, the Commission concludes that important information/documents such as sought for by the Appellant ought to be preserved carefully in accordance with rules/guidelines for preservation of official records. Moreover, the allegations of corruption brought out by the Appellant deserves attention of higher authorities of the Department.

However, as the Secretary of the GP was submitted that he has provided the information as available in the office, the matter need not be pursued under the RTI Act, 2005 excepting for furnishing of the copies of the documents which the Appellant has stated to have not received.

In view of the facts brought out above, the Commission hereby orders that the Secretary of the GP shall request the Appellant to visit his office on a mutually convenient date and hand over the copies of the documents relating to the information once again under acknowledgement of receipt, free of cost, within 10 days of receiving this order. As regards, the missing records and the allegations of irregularities, the Appellant is at liberty to take up the matter at appropriate higher levels of the Department and other appropriate authorities of Government having jurisdiction in anti-corruption and vigilance matters.

The Second Appeal is hereby disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/NGN.229/2017

Dtd. 15.02.2018

Copy to:

1. The SPIO, O/o the Secretary, Chabukdhora Gaon Panchayat, Morigaon, Assam, Pin- 782 412 for information and necessary action.
2. The First Appellate Authority/Chief Executive Officer, Zilla Parishad and Project Director, DRDA, Morigaon, Assam for information.
3. The Appellant, Shri Mukesh Saikia, Vill- Darangiyal, PO- Alikuchi, Nagaon, Pin- 782 106 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission