

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

Case No. : SIC/DHR.97/2017
Appellant : Shri Salim Malik
Respondent : The SPIO, O/o the Executive Engineer, PHE, Goalpara
Division, Goalpara, Assam
Date of hearing : 26.02.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
26.02.2018

The Appellant, Shri Salim Malik is present.

The SPIO absent. However, he submitted a Written Statement dated 23.02.2018.

The First Appellate Authority/Executive Engineer, PHE, Goalpara Division, Goalpara has submitted a Written Statement dated 09.02.2018.

Heard the Appellant. He submitted that he had not received the information he had sought for through his Application for information dated 17.05.2017.

Perused the Written Statement of the SPIO. It has been submitted that the information could not be provided since he, Shri Bhaskarjyoti Das, Assistant Engineer (PHE) cum SPIO and Shri Umed Ali, Junior Engineer (PHE), the deemed SPIO had been engaged in NRC work since December, 2014. Further, he conveyed his apology for today's hearing.

Perused the Written Statement of the FAA. The deemed SPIO namely, the AEE, Goalpara Sub-Division, PHE, Goalpara was requested to provide the information through a letter dated 31.05.2017. The action taken to dispose of the First Appeal has been detailed. It has been stated that the Appellant did not attend the hearing inspite of fixing two dates therefor.

In his submission, the SPIO has not mentioned the AEE, Goalpara Sub-Division had been asked to provide the information.

In view of the facts brought out above, the Commission observes that pre-occupation with other official work including NRC is not an excuse for not providing information under the RTI Act, 2005 within the stipulated time and therefore hereby orders that information shall be furnished to the Appellant, forthwith and at any rate within 10 days of receiving this order, free of cost.

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/DHR.97 /2017
Copy to:

Dtd.26.02.2018

1. The SPIO, O/o the Executive Engineer, PHE, Goalpara Division, Goalpara, Assam for information and necessary action.
2. The First Appellate Authority/Executive Engineer, PHE, Goalpara Division, Goalpara, Assam for information.
3. The Appellant, Shri Salim Malik, Vill- Poravita, PO- Jamadarhat, Dhubri, Pin- 783 330, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission

