



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

Case No. : SIC/KP(M).96/2018  
Appellant : Shri Harinarayan Pathak  
Respondent : The SPIO/Special Officer to the Commissioner, Barak Valley  
Division, Housefed Complex, Dispur, Guwahati- 6  
Date of hearing : 10.05.2018  
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
10.05.2018

Smt. Protima Rongpipi, ACS, SPIO/Special Officer to the Commissioner, Barak Valley Division, Dispur is present. She submitted a Written Statement dated 09.05.2018 and a Written Statement dated 02.05.2018 from the Commissioner, Barak Valley Division/First Appellate Authority.

The Appellant, Shri Harinarayan Pathak is present.

Perused the Written Statements and heard the SPIO. It has been submitted that the information in respect of the RTI Application dated 11.09.2017 was provided through a letter dated 07.10.2017. It was added that query no. 2 was not clear and therefore no information could be provided. Further, information on query nos. 3-6 were not provided based on Section 8(1) (g)(h) of the RTI Act, 2005 as the same might endanger the life and physical safety of a woman and the matter was with the Personnel Department, Government of Assam, and it might impede the process of investigation or prosecution of an offender if any. The FAA has enclosed the copy of his order dated 19.12.2017 on the First Appeal dated 10.10.2017. Through that order certain information relating to the inquiry in question was provided. The FAA had also ordered that the copy of the information manually prepared in pursuance of Section 4(1)(b) of the Act may also be provided.

Heard the Appellant. He submitted that he was not satisfied with the copy of the information manual as it was not clear whether it had been notified or uploaded in the Departmental website. The signature on the manual was not dated either. He was also not satisfied as the information relating to query nos. 3-6 had not been provided specifically with reference to his RTI Application.

The SPIO further submitted that she had collected copies of the relevant documents as regards query nos. 3-6 but did not have a forwarding letter ready to be handed over to the Appellant today.

After a careful consideration of the submission as above, the Commission concludes that there is a need to provide the information as sought for by the Appellant to-the-point as regards query nos. 3-6 including a copy of the inquiry report if the final decision on the report and follow up action thereon have since been taken, and accordingly **hereby orders that the SPIO should take appropriate action in this regard, within 15 days of receiving this order.**

**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 IA & AS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).96/2018 /25-A**

**Dtd.10.05.2018**

Copy to:

1. The SPIO/Special Officer to the Commissioner, Barak Valley Division, Housefed Complex, Dispur, Guwahati- 6 for information and necessary action.
2. The First Appellate Authority/Commissioner, Barak Valley Division, Housefed Complex, Dispur, Guwahati- 6 for information.
3. The Appellant, Shri Hari Narayan Pathak, Padum Pukhuri, Uzan Bazar, Guwahati- 781 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission







