



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

Case No. : SIC/NGN.59/2018  
Appellant : Sri Durgeswar Das  
Respondent : The SPIO, O/o the Dist. Social Welfare Officer, Morigaon, PO  
& Dist.- Morigaon, Assam, Pin- 782 105  
Date of hearing : 12.06.2018  
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
12.06.2018

The Appellant, Sri Durgeswar Das is present.

The SPIO absent.

Perused the case record. The Appellant submitted the Second Appeal dated 30.01.2018 on the ground that he had not received the information sought for through his RTI Application dated 13.10.2017 and any decision from the First Appellate Authority on his First Appeal dated 21.11.2017. It is seen that the Written Statement dated 16.05.2018 had been received from the Dist. Social Welfare Officer, Morigaon in response to the hearing notice dated 08.05.2018. The DSWO has submitted that the information had been provided to the Appellant through a letter dated 23.11.2017. A copy of the said letter has been enclosed along with the CD containing the list of beneficiaries. He had however not provided any evidence of dispatch of the said letter of 23.11.2017.

Heard the Appellant. He submitted that he had received the said letter of 23.11.2017 along with the CD as enclosed with a copy of the aforementioned Written Statement which was, according to the postal receipt, posted on 21.05.2018. He submitted that as the Public authority had not provided any evidence of dispatch of the said letter of 23.11.2017 he contends that the DSWO had not mailed the letter in question containing the information to him in the month of November, 2017 but has sent it to him only after receiving the hearing notice from the Commission. Although the information furnished through the letter dated 23.11.2017 has been provided according to the points in his RTI Application but the list of beneficiaries, their address and the amount of financial grant given to them were not schemewise as sought for but mixed up and it was not possible for him to segregate the information. He requested for an order for this detailed information to be provided to him schemewise.

The Commission observes a few flaws in the submission made by the DSWO. Firstly, he did not mention the date on which the RTI Application was received and therefore it was not possible to determine whether the information claimed to have been provided was within the stipulated time of 30 days. Secondly, the veracity of furnishing of the information could not be determined for want of any evidence of dispatch and/or receipt thereof by the Appellant. As

mentioned above, the Appellant has infact submitted that he had not received the same. Further, the Commission could not determine as to whether the information contained in the CD was the information sought for by the Appellant as no hard copy thereof has been provided.

In view of the facts brought out above, **the Commission hereby orders that the SPIO, office of the DSWO, Morigaon shall review the information furnished to the Appellant in the said CD and take action to provide the same schemewise within 15 days of receipt of this order, free of cost. Further, DSWO, Morigaon is hereby directed to submit in the future Written Statements giving detailed information as sought for by the Commission in its hearing notice.**

**The Second Appeal is hereby disposed of.**

Sd/-  
Pinuel Basumatary IA & AS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Joint Registrar  
Assam Information Commission

**Memo No. SIC/NGN.59/2018/10-A**

**Dtd.12.06.2018**

Copy to:

1. The SPIO, O/o the Dist. Social Welfare Officer, Morigaon, PO & Dist.- Morigaon, Assam, Pin- 782 105 for information and necessary action.
2. The First Appellate Authority/Dist. Social Welfare Officer, Morigaon, PO & Dist.- Morigaon, Assam, Pin- 782 105 for information.
3. The Appellant, Sri Durgeswar Das, Residence of Christian Patty, PO- Nagaon, Dist- Nagaon, Pin- 782 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission