



OFFICE OF THE

ASSAM INFORMATION COMMISSION

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Case No. : SIC/NGN.89 /2018
Appellant : Sri Durgeswar Das
Respondent : The SPIO, O/o the BDO, Pakhioria Dev. Block, PO-
Ranthali, Dist.- Nagaon, Assam
Date of hearing : 22.11.2018
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

22.11.2018

Sri Dibyajyoti Saikia, SPIO, office of the Pakhioria Dev. Block, Nagaon is present. He submitted a Written Statement with today's date.

The Appellant has submitted a written apology for his absence on the ground of illness and has requested to fix another date for hearing.

As the SPIO is present along with Written Statement, the Commission decided to go ahead with the hearing proceedings *ex parte* of the Appellant.

Heard the SPIO and perused his Written Statement. The RTI Application dated 05.10.2017 was responded to through a registered letter dated 06.11.2017 informing the Appellant that the information was available on the website. Further, on receipt of a letter dated 08.03.2018 from the Appellant that certified copies of the documents were not available on the website. He was provided with desired documents totaling 11 in number through a letter dated 21.03.2018. It has been added that a hearing had been called for by the BDO, Pakhioria Dev. Block on 22.12.2017 on receipt of the First Appeal dated 14.11.2017. However, the Appellant did not turn up on the day of hearing and the hearing could not be held.

Based on the submission by the SPIO and the perusal of the case record, the Commission observes that the Appellant did not make a mention of the receipt of the aforementioned response from the SPIO neither in his First Appeal nor in his Second Appeal. It is not understood as to why the Appellant did not state the full facts of the case inspite of having received of the same. Further, although the documents were sent by the SPIO through a Registered letter as evidenced by photocopy of the postal receipt, the Appellant did not make the mention of its receipt in the Written Statement he has sent today. The Commission further observes that uploading of information relating to the authority and its work in its website is in accordance with the responsibility enjoined upon it by the RTI Act, 2005 U/S 4 (b) and the seeker of information under the Act can use such information as authentic without requiring further certification.

Considering that the information sought for is stated by the SPIO with evidence to have been furnished to the Appellant, **the Second Appeal is hereby disposed of. As regards non-disclosure of full facts while submitting the Second Appeal to the Commission, the Appellant Sri Durgeswar Das, is hereby directed to be more careful and diligent in future.**

Further, as regards the use of the inscription on his RTI Application, “Courtesy : Anti-Corruption, Information and Development Bureau, Joynagar Branch (Voluntary RTI Organization) Approved By- Assam State Legal Services Authority, Guwahati”, the order issued by this Commission in respect of the Second Appeal by the Appellant bearing case no. SIC/NGN.104/2018 dated 03.10.2018 shall apply to this case as well.

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.89 /2018

Dtd.22.11.2018

Copy to:

1. The SPIO, O/o the Block Development Officer, Pakhimoria Dev. Block, PO- Ranthali, Dist.- Nagaon, Assam, Pin- 782 101 for information and necessary action. A copy of the said order dated 03.10.2018 is also enclosed with this order.
2. The First Appellate Authority/ office of the Block Development Officer, Pakhimoria Dev. Block, PO- Ranthali, Dist.- Nagaon, Assam, Pin- 782 101 for information. A copy of the said order dated 03.10.2018 is also enclosed with this order.
3. The Appellant, Sri Durgeswar Das, RO- 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