



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

Case No. : NGN.345/2018  
Complainant/ appellant : Md. Abdul Jalil Akhand  
Respondent : District Fishery Development Officer, Nagaon  
Govt. of Assam  
Date of hearing : 03.05.2019  
Complaint/ Second : Shri H.S. Das, IAS ( Retd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**  
03.05.2019

The appellant Md. Abdul Jalil Aakhand is absent without any information. The public authority is represented by Shri Atul Ch. Hazarika, District Fishery Development Officer, Nagaon and Dr. Ramen Barman, Fishery Development Officer (Information), Nagaon. The second appeal petition dated 16.8.2018 is taken up for consideration ex parte in the absence of the petitioner.

The District Fishery Development Officer, Nagaon submitted a copy of his letter dated 10<sup>th</sup> April, 2019 addressed to the petitioner stating that most of the informations have already been furnished to him. As regards copies of bills/vouchers, numbering more than 300, the petitioner was informed that the office xerox machine was out of order. He was, therefore, requested to come to the office and get those documents Xeroxed. The District Fishery Development Officer submitted orally that the petitioner did not turn up but insisted on furnishing of Xerox copies of bills and vouchers. Due to his insistence the DFDO got those documents Xeroxed in a commercial establishment and furnished the same to the petitioner on 2.5.2019, which was received by him with his signature. It appears that while furnishing of the information involving substantial cost of public money in making photocopies of more than 300 copies of information sought for, the DFDO did not send any information to the petitioner within the stipulated time to deposit the cost of providing informations. In this connection, this Commission would also like to refer to section 7(9) of the RTI Act, 2005 which states that an information shall ordinarily be provided in the form in which it is sought, unless it would disproportionately divert the resources of the authority or would be detrimental to the preservation and safety of the records in question. From what has been stated by the DFDO, it appears that there was disproportionate diversion of the resources of the office due to insistence of the information seeker to furnish photocopies of the sought for informations.

In view of the circumstances stated by the District Fishery Development Officer, Nagaon, it appears that in this case the requirement of the RTI Act, 2005 could have been sufficiently met by resorting to sec. 2(j) (i) and (ii) of the RTI Act, that is, exercise of the right to information by inspection of records, documents, etc. The DFDO as well

as the information seeker Md. Abdul Jalil Akhand shall note this observation for future reference and guidance.

With the above order, the second appeal petition dated 16.8.2018 is disposed of.

Sd/-

(H. S. Das)  
Chief Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Registrar i/c  
Assam Information Commission

Memo No. SIC/ NGN.345/2018/

Dated. 03.05.2019

Copy to: 1. The District Fishery Development Officer, Dist. Nagaon, Assam for information and necessary action.  
2. Md. Abdul Jalil Akhand, Vill- Islampatty, Seuji Nagar, PO- Haibargaon, District Nagaon, Assam for information.  
3. Computer Section for uploading in the website.  
4. Office File.  
5. Order Book

Registrar i/c  
Assam Information Commission