



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/GLT.17 /2018
Appellant : Sri Diganta Das
Respondent : The SPIO, O/o the Joint Director of Food, Civil Supplies & Consumer Affairs, Dist.- Jorhat, Assam
Date of hearing : 04.04.2019
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
04.04.2019

The SPIO-cum-Joint Director i/c, FCS & CA Department, Jorhat has sent a written apology dated 25.03.2019 for his absence on account of Election duty and requesting for another date for hearing.

The Appellant, Sri Diganta Das is present.

Considering that the Appellant is present and that he is unsatisfied with the information received over ten months back, the Commission decided to go ahead with the hearing proceedings *ex parte*.

A copy of the letter to the Appellant dated 23.03.2019 had been received earlier and taken on record. From this letter, it is seen that the Appellant was requested to inspect the records on the date of his choice by prior intimation.

Heard the Appellant. Although he had not received the Commission's notice relating to today's hearing, he learned about the same from the Public Authority and decided to be present. He submitted that he had not deposited the cost of photocopying amounting to Rs. 1374/- for the reason that he had received the intimation after expiry of more than 50 days from the date of submission of his RTI Application.

The Commission observes that the RTI Application was dated 26.03.2018 and the SPIO responded through a letter dated 02.05.2018. As the date of receipt of the Application by the SPIO is not available on record, the exact number of days of delay could not be determined by the Commission. However, from the aforementioned dates, it is evident that the delay in furnishing the written response by the SPIO could not be significant. In other words, it would be untenable to treat the SPIO's request for cost of photocopying as inadmissible.

In view of the facts brought out above, **the Commission hereby directs the SPIO to appoint a specific date and invite the Appellant to inspect the relevant records and furnish authenticated copies of specific documents as required by him on payment of the**

cost at the prescribed rate. The appointed date may be communicated within 7 days of receipt of this order and the entire exercise be completed within 10 days thereafter.

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/GLT.17 /2018

Dtd.04.04.2019

Copy to:

1. The SPIO, O/o the Joint Director of Food, Civil Supplies & Consumer Affairs, Dist.- Jorhat, Assam for information and necessary action.
2. The First Appellate Authority/office of the Joint Director of Food, Civil Supplies & Consumer Affairs, Dist.- Jorhat, Assam for information.
3. The Appellant, Sri Diganta Das, Vill- Dhemaji Gaon, PO- Bahguri, PS- Dergaon, Dist.- Golaghat, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission