



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No : SIC/DMJ.48/2018
Complainant/ Appellant : Sri Sanjib Tamuli
Respondent : The SPIO, Office of the Deputy Commissioner, P.O, P.S &
Dist- Dhemaji, PIN-787057
Date of hearing : 2.7.2019
Complaint/ Second : Nilufer Alam Hazarika, IAS (Retd.)
Appeal heard by : State Information Commissioner, Assam
Date of order : 2.7.2019

O R D E R
2.7.2019

The petitioner Sri Sanjib Tamuli is present. The Deputy Commissioner and the First Appellate Authority has informed the Commission vide letter dated 27th June, 2019 that the information regarding findings of Magisterial Enquiry is not available at this end, and as no such Magisterial Enquiry was ordered.

The petitioner present objected that he has submitted a complaint petition before the Deputy Commissioner, Dhemaji from 22.6.2018. In the complaint petition he mentioned that the Executive Engineer of PW & RD , Dhemaji Rural Road Division Silapathar had informed him vide letter dated 30.3.2018 that royalty was deposited by them, in reply to his RTI petition dated 26.3.2018. But, on the same matter the Forest Department vide letter dated 31.3.2018 has informed that they had no record of any Royalty deposited. As a result he has apprehensive that Government money was misappropriated and as such he had requested the Deputy Commissioner to enquire into the matter.

The Commission observes that the RTI Act provides access to all information that is available and existing. If the public authority has any information in the form of data or statistics, the appellant may access such information. But when the information sought for is not a part of record of the public authority, the Act does not cast an obligation for the public authority to furnish such information. In the instant case the Deputy Commissioner has informed the Commission that no magisterial enquiry was conducted and as such furnishing of report does not arise. The appellant may approach appropriate authority for redressal of his grievances.

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

Sd/-

(Nilufer Alam Hazarika, IAS (Retd.))
State Information Commissioners, Assam
Panjabari, Guwahati

Authenticated true copy.

Joint Registrar
Assam Information Commission

Memo No. SIC/DMJ.48/2018

Dated. 2.7.2019

Copy to:

1. The SPIO, Office of the Deputy Commissioner, P.O, PS & Dist- Dhemaji, PIN-787057 for information and necessary action.
2. The First Appellate Authority, Office of the Deputy Commissioner, P.O, PS & Dist- Dhemaji, PIN-787057 for information and necessary action.
3. The Petitioner, Sri Sanjib Tamuli, Vill- Tanganapara Ahom Gaon, P.O- Jamuguri Pachali, PIN-787057 for information.
4. Computer Section for uploading in the Website.
5. Office File
6. Order Book



Joint Registrar
Assam Information commission