



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

Case No. : SIC/KP(M)1171/2019
Complainant/ appellant : Sri Harinarayan Pathak
Respondent : SPIO of the Office of the Deputy Commissioner, Hailakandi
Date of hearing : 19.11.2020
Complaint/ Second : Dr. A.P. Rout, IPS (Retd.)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R

19.11.2020

1. The petitioner Sri Harinarayan Pathak is present. The public authority to be represented by the Office of the Deputy Commissioner Hailakandi is absent. However the Deputy Commissioner, Hailakandi Sri M.N. Dahal, IAS has sent an email dated 18.11.2020 attaching a written statement dated 17.11.2020 by the SPIO, Office of the Deputy Commissioner, Hailakandi.
2. The RTI appellant Sri Harinaryan Pathak has filed his second appeal dated 26.8.2019 aggrieved by non receipt of information from the SPIO of the Officer of the Deputy Commissioner, Hailakandi to his RTI petition.
3. In his second appeal he further mentioned that he has submitted first appeal petition dated 4.6.2019 but no information is received from the First Appellate Authority.
4. In his RTI petition he has sought information as follows:-
 - (i) Date of Joining of Shri Molay Bora, ACS, as Deputy Commissioner, Hailakandi District, supported by documentary proof, such as copy of taking over of Charge as Deputy Commissioner in the District of Hailakandi, District.
 - (ii) Date of Transfer of the Deputy Commissioner, Hailakandi District, as mentioned at (i) above, supported by documentary proof, such as copy of Handover of charge as the Deputy Commissioner in the District of Hailakandi
 - (iii) Date of each ORDER as passed u/s 19(1) of RTI Act, 2005, by the Deputy Commissioner, Hailakandi District, as mentioned at (i) above during the period in between taking over the Charge and Handing Over the Charge.
 - (iv) Name in full with official Designation of the SPIO in the Office of the Deputy Commissioner, Hailakandi district with validity as on date, in documentary proof.
5. The SPIO of the Office of the Deputy Commissioner, Hailakndi filed letter dated 12.11.2020 and has mentioned that the reply of the RTI petition dated 8.4.2019 of Sri Harinarayn Pathak was sent vide letter No HPE.29/2019/12 dated 16.7.2019 and the copy of the same is enclosed with his letter.
6. The Commission asked the petitioner who is present in today's hearing whether he has received the information or not but he is unable to reply the Commission because of his hearing problem.

7. However, after going through the details of the reply of the SPIO of the Deputy Commissioner, Hailakandi, **the Commission observes that the information against the RTI petition dated 8.4.2019 has been furnished to the petitioner and the petitioner for reason best known to him is unnecessarily filing second appeal petition and misusing the RTI Act and wasting the time of the Commission.**
8. The second appeal petition dated 26.8.2019 is hereby disposed off.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)1171/2019

Dtd. 19.11.2020

Copy to:

1. The SPIO of the Office of the Deputy Commissioner, Hailakandi, Dist- Hailakandi, PIN-788151 for information.
2. The First Appellate Authority of the Office of the Deputy Commissioner, Hailakandi, Dist- Hailakandi, PIN-788151 for information.
3. The Petitioner, Sri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati-01 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.
6. Order Book.

Registrar i/c
Assam Information Commission