

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

Case No. : SIC/KP(M)24/2021
SIC/KP(M)25/2021
SIC/KP(M)27/2021
Complainant/ appellant : Manoj Das
Respondent : SPIO, O/o the DTO, Baksa
SPIO, O/o the Bejara Dev. Block
SPIO, O/o the Hajo Dev. Block
Date of hearing : 17.03.2021
Complaint/ Second : Dr. A.P. Rout.
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
17.03.2021

1. The Petitioner Sri Manoj Das is present.
2. The case-wise decision of the Commission is as follows:-

(I) SIC/KP(M).24/2021

The DTO & SPIO O/o the District Transport Officer, Baksa, Mushalpur has submitted a detailed written statement dated 12.3.2021 which is taken into records.

The Commission accepts the written statement and the second appeal petition dated 20.1.2021 is hereby disposed off.

(III) SIC/KP(M)25/2021

The petitioner Sri Manoj Das filed RTI petition dated 22.10.2020 seeking following information:

- (a) Please specify: Name, Address & Amount of Fund Spent under Bejara Development Block with 1st, 2nd, 3rd installment of the fund of 13th, 14th, 15th Finance Commission.
- (b) Please specify: Copy of the Santion Order to the VCDCs under Bejara Development Block, the fund under 13th, 14th, 15th Finance Commission.
- (c) Please specify: Name, Address & Amount of fund spent in the project implement under SOPD scheme under Bejara Development Block and also copy of the sanction order needed.
- (d) Please specify: Name, Address & Amount of fund spent in the Scheme of MGNREGA under Bejara Development Block and also copy of the sanction order needed.
- (e) Please specify: How many beneficiaries received PMAY house in Bejara Development Block, information needed VCDC wise.

Reportedly on non receipt of information he filed first appeal petition dated 7.12.2020 before the First Appellate Authority. Then he filed second appeal petition dated 20.1.2020 before the Commission.

The SPIO, O/o the Bejara Dev. Block intimated over telephone that he is unable to attend today's hearing due to election duty.

(IV) SIC/KP(M)27/2021

Similarly the petitioner in connection to the case No. SIC/KP(M)27/2021 has asked the five question as follows:-

- (a) Please specify: Name, Address & Amount of Fund Spent Under Hajo Development Block with 1st, 2nd & 3rd installment of the fund of 13th, 14th, 15th Finance Commission.
- (b) Please specify: Copy of the Santion Order to the VCDCs under Hajo Development Block, the fund under 13th, 14th, 15th Finance Commission.

- (c) Please specify: Name, Address & Amount of fund spent in the project implement under SOPD scheme under Hajo Development Block and also copy of the sanction order needed.
- (d) Please specify: Name, Address & Amount of fund spent in the Scheme of MGNREGA under Hajo Development Block and also copy of the sanction order needed.
- (e) Please specify: How many beneficiaries received PMAY house in Hajo Development Block, information needed VCDC wise.

The BDO, Hajo Dev. Block sent an email stating that due to election duty the concerned officer is unable to attend today's hearing.

On perusal of the RTI petitions dated 22.10.2020 filed by the petitioner, it is seen that the information sought for vide case No. SIC/KP(M)25/2021 and case No. SIC/KP(M)27/2021 are almost similar though the RTI petitions are addressed to two different Development Blocks.

During the hearing fixed on 12.3.2021, the SPIO had referred to Delhi High Court order on the cause of action on the part of the RTI petitioner.

The Hon'ble Court in Har Kisan VS President Secretariat in WP(C) 7976/2020 has decided **"The Court is of the opinion that whenever information is sought under the RTI Act, disclosure of an interest in the information sought would be necessary to establish the bonafides of the applicant. Non-disclosure of the same could result in injustice to several other affected persons"**.

In conformity with the above order, the Commission asked the petitioner what interest he has in seeking the information, the petitioner stated that he has sought the information in public interest and he has no specific cause of action.

The Commission after carefully going through the order of the Hon'ble Delhi High Court decides, that the petitioner has failed to disclose any specific interest seeking information in the above two cases and hence the second appeals dated 20.1.2021 are disposed off.

Authenticated copies be given to all concerned

(Dr. A.P. Rout)

Authenticated true copy.

Joint Registrar i/c
Assam Information Commission
Memo No. SIC/ KP(M)24/2021/11
SIC/KP(M)25/2021/7
SIC/KP(M)27/2021/12

Dtd. 17.3.2021

Copy to:

1. The SPIO, O/o the District Transport Officer, Baksa, Mushalpur, BTR, Assam for information
2. The First Appellate Authority/ Office of the DTO, Baksa, BTR, Assam for information.
3. The SPIO, O/o the Bejara Dev. Block, Behera, Kamrup, Assam PIN-781380 for information.
4. The First Appellate Authority/ O/o, the Bejara Dev. Block, Bejara, Kamrup, Assam PIN-781380 for information.
5. The SPIO, O/o the BDO, Hajo Dev. Block, Kamrup, PIN-781102 for information.
6. The First Appellate Authority/ O/o the BDO, Hajo Dev. Block, Kamrup, PIN-781102 for information.
7. Sri Manoj Das, Durniti Birodhi Manab Das, Durniti Birodhi Manab Adhikar Surakshar Mancha (DBMASM), Batahghuli Panjabari, Guwahati-37 for information.
8. Computer Section for uploading in the Website.
9. Office File.
10. Order Book.

Joint Registrar i/c
Assam Information Commission