

OFFICE OF THE
ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/BNG.2/2021
Complainant/ Appellant : Shri Diljit Adhikary
Respondent : SPIO of the Office of the Chief Minister's Secretariat,
Dispur
Date of Hearing : 1-3-2021
Complaint/ Second : Dr. A.P.Rout, IPS(Retd)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
1/3/2021

1. The petitioner Shri Diljit Adhikary is absent without any intimation.
2. The Public Authority is represented by Shri Pramod Chandra Nath, Deputy Secretary, CM's Secretariat, Dispur.
3. The petitioner filed his RTI petition on 14/8/2020 seeking information on Revenue and Disaster Management Department. On not getting any information he filed 1st appeal on 5/11/2020 before Chief Minister's Secretariat, Dispur and after that he filed 2nd appeal before the Commission on 28/12/2020.
4. One letter was forwarded to the PIO, Revenue & Disaster Management Department, Dispur by the SPIO of CM's Secretariat, Dispur vide letter no. CMS.36/2020(RTI)/57 dated 5th February, 2021 to furnish the sought for information to the petitioner as the matter was related to Revenue & Disaster Management Department. The copy of this letter was marked to the petitioner.
5. The appellant though filed his 1st appeal before the Appellate Authority, O/o the Chief Minister's Secretariat, Dispur on 5th November,2020, he had erroneously written to the Chief Information Commissioner, Assam Information Commission, Panjabari on 28th December, 2020.stating that he has filed RTI petition before PIO, O/o the Chief Minister's Secretariat, Dispur on 5.11.2020.
6. The Commission point out this glaring mistake on the part of the RTI petitioner.
7. The Commission has taken note of the written statement submitted vide letter no. CMS.63/2020(Appeal)/26 dated 26th February,2021 by the SPIO, CM's Secretariat, Dispur wherein it is mentioned that appellant was requested to attend the hearing before 1st Appellate Authority vide letter no. CMS.63/2020(Appeal)/5 dated 29.12.2020, but he did not attend the same.
8. The Commission accepts the written statement and disposed off the so called 2nd appeal petition, as the RTI petition before 1st Appellate Authority cannot be treated as RTI petition U/S 7(1) of the RTI Act, 2005.
9. The case is disposed off.

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

Authenticated true copy.

Sd/-
Joint Registrar i/c
Assam Information Commission

Memo No. SIC/BNG.2/2021

Dtd. 1.3.2021

Copy to:

1. Shri N. Bora, SPIO of the Office of Chief Minister's Secretariat, Dispur for information
2. Shri Diljit Adhikary, petitioner, Ward No.3, Abhayapuri, Bongaigaon, Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Joint Registrar i/c
Assam Information Commission