

OFFICE OF THE
ASSAM INFORMATION COMMISSION

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037
Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : SIC/KP(M).148/2021
Complainant/ Appellant : Harinarayan Pathak
Respondent : SPIO of the Office of Director of Archives,
Dispur, Ghy -06
Date of Hearing : 06-09-2021
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
06/09/2021

1. The petitioner Sri Harinarayan Pathak is present. The petitioner has filed his RTI application dated 8/1/2021 seeking following information:
 - (a) Copy of the List containing the file numbers, those are submitted from the Industries & Commerce Department, Govt. of Assam, Dispur along with the files, as received by the Directorate of Archives, Assam during the period w.e.f. 1.1.2002 till 31.12.2020.
 - (b) Date of implementation of the Assam Public Records Rules, 2019 and name of the Implementing Authority supported by documentary proofs.
 - (c) Copy of the updated notification in respect of First Appellate Authority & State Public Information Officer of the Directorate of Archives, Assam in terms u/s 19(1) and 5(1) of the RTI Act, 2005 respectively.
2. On non-receipt of the information, the petitioner has filed 1st appeal on 24.2.2021 before the 1st Appellate Authority of Director of Archives, Dispur.
3. The petitioner then filed 2nd appeal before the Commission on 3.5.2021 and accordingly hearing was taken today.
4. The Public Authority to be represented by SPIO of the Office of Director of Archives is absent. However, the SPIO of the Office of Director of Archives has submitted a written statement vide no. SA.10/2015/179 dated 31.8.2021 which is taken into records.
5. The petitioner vide his letter no. SAP/1580/0801 2021/10 dated 30.08.2021 mentioned that due to some technical fault, he has withdrawn the 2nd appeal petition against the Directorate of Archives, Dispur, Ghy-06 and hence he has requested before the Commission to treat his 2nd appeal petition as closed.
6. From the above, it is seen that the petitioner has not mentioned and elaborated on the technical fault and he has not only submitted the RTI petition/1st Appeal petition but also submitted the 2nd appeal petition on non receipt of the information.
7. From the above, it is clear that the petitioner is submitting RTI petition without application of mind and misusing the RTI Act and in the process, not only wasting the official time of the SPIO and the 1st Appellate Authority but also the Commission and also depriving the genuine petitioners cause of action in submitting the 2nd appeal petition.
8. Therefore, the Commission warns the appellant not to misuse the Act, not to waste the time of the Commission and also not to be a road block in getting genuine information of RTI petitioners.
9. In view of the above, the instant 2nd appeal petition dated 3.5.2021 is disposed off.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).148/2021

Dtd. 6.9.2021

Copy to:

1. The SPIO of the Office of the Director of Archives, Dispur, Guwahati 06 for information.
2. The petitioner Sri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Ghy – 781001 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Secretary & Registrar
Assam Information Commission