

OFFICE OF THE
ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/Biswanath.9/2021
Complainant/ Appellant : Shri Ajay Ashwiyana.
Respondent : The SPIO, O/o the Deputy Commissioner, Biswanath, Assam.
Date of Hearing : 17-12-2021
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
17-12-2021

1. The appellant Shri Ajay Ashwiyana is absent. He has sent a letter dated 17.12.2021 to re-fix another date for the hearing, but has not cited in reason why he is unable to attend hearing. As such his prayer for re-fixing another date is not granted.
2. The SPIO, O/o the Deputy Commissioner, Biswanath, is absent with any intimation.
3. The hearing has been taken up today despite the absence of both parties in the interest of early access of information by the appellant and speedy disposal of appeals and complaints.
4. From perusal of records it is seen that the appellant Shri Ajay Ashwiyana had submitted an RTI application to the SPIO, O/o the Deputy Commissioner, Biswanath District, on 25.11.2020 seeking certain informations. Documents submitted by the appellant included a letter BNP-21/2016/Pt-V/559 dated 18.12.2021 by the PIO, O/o the Deputy Commissioner, Biswanath to one Shri Manoj. Kr. Shahni, Vill. Kumolia Centre, P.O. Pani Bharal, Distt. Biswanath, in which photocopies of certain information apparently related to the informations sought by Shri Ajay Ashwiyana have been enclosed. On 12.04.2021 the appellant Shri Ajay Ashwiyana submitted a complaint in this Commission stating that the informations he had sought vide his RTI application dated 25.11.2020 were sent by the PIO, O/o the Deputy Commissioner, Biswanath, on 18.12.2020 in the name of Shri Manoj Kr. Shahni, who is the elder brother of Shri Ajay Ashwiyana. It appears that the appellant Shri Ajay Ashwiyana has accepted the informations furnished by the PIO, O/o the Deputy Commissioner, Biswanath, in the name of Shri Manoj Kr. Shahni, because he has in his complaint alleged that he has been provided "incomplete, false and misleading information". He has also prayed for a penal action against the concerned official in the Public Authority for providing him "incomplete, false and misleading information".
5. **There is no mechanism in the Commission to verify whether the Public Authority, in this case the SPIO, O/o the Deputy Commissioner, Biswanath District, had provided him "incomplete, false and misleading information". The Commission however directs the SPIO to provide him the remaining informations if the informations already provided are incomplete, to the appellant within 21 (twenty-one) from the date of receipt of this order. The appellant Shri Ajay Ashwiyana shall point out in writing to the SPIO, O/o the Deputy Commissioner, Biswanath, which are the points against which he had received incomplete information if any.**
6. **A copy of this order be marked to the Deputy Commissioner, Biswanath, so that it may be verified whether the allegations leveled by the appellant Shri Ajay Ashwiyana are actually correct or misleading, and take necessary action if required, with a copy to the Commission within 21 (twenty-one) days from the receipt of his order.**

7. With the above order this 2nd Appeal is hereby disposed of.

Sd/-
(Samudra G. Kashyap)
State Information Commissioner,
Assam.

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/Biswanath.9/2021/20-A

Dated: 17-12-2021

Copy to:

1. The SPIO, O/o the Deputy Commissioner, Biswanath, PIN 784001, Assam, for information and necessary action.
2. The Deputy Commissioner, Biswanath, PIN 784001, Assam, for information and necessary action.
3. The petitioner, Shri Ajay Ashwiyana, Vill. Kumalia Centre, P.O. Panibharal, Distt. Biswanath, PIN Code 784176, Assam, for information and necessary action.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar
Assam Information Commission.