

OFFICE OF THE  
**ASSAM INFORMATION COMMISSION**

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : SIC/KP(M).145/2021  
Complainant/ Appellant : Shri Prafulla Debnath.  
Respondent : The SPIO, O/o the SDJM Hojai, Sankardev Nagar, 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 Prafulla Debnath is absent. But he has authorized one Sri Biswajit Debnath to appear on behalf of him in today's hearing.
2. The SPIO, O/o the SDJM, Hojai District (now O/o the District & Sessions Judge, Hojai) is absent. The FAA, O/o the District & Sessionss Judge, Hojai, is represented by Shri Kalyanjit Borah, U.D. Assistant of the establishment who has been duly authorized by the District & Sessionss Judge, Hojai to represent him in today's hearing. The FAA, O/o the District & Sessionss Judge, Hojai, has also submitted a written statement No. DJH/21/1437-A dated 26.11.2021 which has been placed on record.
3. From perusal of records it is seen that Shri Prafulla Debnath had submitted an RTI application to the SPIO, O/o the then Sub-Divisional Judicial Magistrate (now District & Sessions Judge, Hojai) on 16.01.2021 seeking certain informations related to an order passed by the Sub-Divisional Judicial Magistrate's Court, Hojai on 13.02.2020 in response to case No. CR1293/2017. On not receiving any information he submitted a 1<sup>st</sup> Appeal on 25.03.2021 and subsequently a 2<sup>nd</sup> Appeal in this Commission on 10.05.2021. While the SPIO O/o the District & Sessionss Judge, Hojai, is absent in today's hearing, the written statement submitted by the FAA in the O/o the District & Sessions Judge, Hojai, has stated that the reply was furnished to the appellant Shri Prafulla Debnath on 25.01.2021. A copy of the said reply No. SDJM/HSM/141 dated 25.01.2021 has been enclosed with the written statement. On examination of the said attachment it has been found that the APIO, O/o SDJM (Munsiff) Hojai had furnished information in response to the RTI Application of Shri Prafulla Debnath. In today's hearing however Shri Biswajit Debnath, the person authorized by Shri Prafulla Debnath, claimed that the appellant had not received any information from the APIO, O/o the Sub-Divisional Judicial Majistrate (Munsiff) Hojai, as mentioned in the written statement.
4. **In view of the SPIO, O/o the District & Sessions Judge, Hojai, is directed to provide once again a copy of the information (letter No. SDJM/HSM/141 dated 25.01.2021) to the appellant Shri Prafulla Debnath within 7 (seven) days from the date of receipt of this order. The authorized representative of the appellant during today's hearing requested for providing him a copy of the said letter No. SDJM/HSM/141 dated 25.01.2021 from the records of this case. The prayer is granted and the Registry of the Commission may provide a photocopy of the said order to the authorized representative of the appellant Shri Biswajit Debnath on submission of a written request to the Commission by the original appellant and also submit an acknowledgement on receipt of the same.**
5. With the above, this 2<sup>nd</sup> 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/KP(M).145/2021**

**Dated: 17-12-2021**

Copy to:

1. The SPIO, O/o the SDJM Hojai, Sankardev Nagar, PIN 782442, Assam, for information and necessary action.
2. First Appellate Authority/ O/o the District and Sessions Judge, Hojai, Sankardev Nagar, PIN 782442, Assam, for information.
3. The petitioner, Shri Prafulla Debnath, C/o Biswajit Debnath, Quarter No. B-133, A & B type Residence, IIT Guwahati Campus, IIT Guwahati Sub Post Office, Guwahati, PIN Code 781039, 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.