

Case No. : SIC/CCR.13/2021
Complainant/ Appellant : Shri Amrit Kanti Sinha.
Respondent : The SPIO/Secretary, Sewti GP, P.O. Behera Bazar, P.S. Katigora, Distt. Cachar, Assam.
Date of Hearing : 09-12-2021
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
09-12-2021

1. The appellant Shri Amrit Kanti Sinha is absent. But he has sent an e-mail to the Commission on 07.12.2021 expressing his inability to attend the hearing due to illness and prayed for adjournment of the hearing.
2. The SPIO/Secretary, Sewti G.P., P.O. Behera Bazar, P.S. Katigora, Distt, Cachar is absent without any intimation.
3. The hearing is taken up despite the absence of both parties in the interest of speedy disposal as well as in the interest of citizen's early access to information sought.
4. From perusal of records it is seen that the appellant Shri Amrit Kanti Sinha had submitted one RTI petition to the O/o the Block Dev. Officer, Kalain Dev. Block, Distt Cachar, on 22.07.2020 seeking certain informations related to activities and schemes implemented by Sewti G.P. He had filed an Appeal before the FAA, O/o the Deputy Commissioner, Cachar, on 21.10.2020 and also sent reminders to the SPIO/Secretary, Sewti G.P., Block Dev. Officer, Kalain, CEO, Cachar Zilla Parishad, as well as Deputy Commissioner, Cachar, which are on record. On 27.01.2021 the appellant submitted a 2nd Appeal in this Commission following which a hearing was fixed for 29.09.2021, but as both parties were absent on that date, the same was deferred to 09.12.2021. On 06.10.2021 the Commission received a letter dated 29.09.2021 from the Secretary, Sewti G.P. expressing his inability to attend the hearing.
5. **From perusal of records the Commission is convinced that the information sought by the appellant Shri Amrit Kanti Sinha are furnishable. Hence the SPIO/Secretary, Sewti G.P., P.O. Behera Bazar, P.S. Katigora, Distt, Cachar, is directed to furnish the informations to the appellant Shri Amrit Kanti Sinha within 30 (thirty) days from the receipt of this order, provided these are not exempted by the RTI Act, 2005 and there is no order from any court restricting furnishing of the same. Since the stipulated time for providing information by realizing documentation charges had long expired, hence the appellant Shri Amrit Kanti Sinha is eligible to get the information free of cost. But since Section 7 (9) of the RTI Act, 2005 clearly states that there should not be any disproportionate diversion of resources of the Public Authority while furnishing informations, hence the SPIO/Secretary, Sewti G.P. is directed to furnish only the first 100 (hundred) pages of information free of cost and furnish the remaining pages by realizing photocopying charges as applicable.**

6. The SPIO/Secretary, Sewti G.P. shall submit an Action Taken Report to the Commission on this order immediately on expiry of 30 (thirty) days. The Block Development Officer, Kalain Development Block shall take necessary steps to ensure that the appellant Shri Amrit Kanti Sinha is furnished with the informations sought for by the SPIO/Secretary. A copy of this order be marked to the Deputy Commissioner, Cachar, for information.
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/CCR.13/2021/23-A

Dated: 09-12-2021

Copy to:

1. The SPIO/Secretary, Sewti GP, P.O. Behera Bazar, P.S. Katigora, Distt. Cachar, Assam, for information and necessary action.
2. The Block Dev. Officer, Kalain Dev. Block, Distt Cachar, Assam, for information and necessary action.
3. The Deputy Commissioner, Cachar, Assam, PIN Code 788001, for information.
4. First Appellate Authority/ The Deputy Commissioner, Cachar, Assam, PIN Code 788001, for information.
5. The petitioner, Shri Amrit Kanti Sinha, S/o. Late Ramananda Sinha, Vill. & P.O. Bhubaneswar Nagar, P.S. Katigorah, Dist. Cachar, Assam, for information.
6. Computer section for uploading in the website.
7. Office File.
8. Order Book.


Secretary & Registrar
Assam Information Commission.