



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/KP(M).277/2021
Appellant : Sri Joydeb Das
Respondent : The SPIO, O/o the WPT & BC Deptt., Govt. of Assam
Date of hearing : 30.11.2021
Second Appeal heard by : Sri Kanak Ch. Sarma
State Information Commissioner, Assam

O R D E R

30.11.2021

The appellant Sri Joydeb Das is present.

The SPIO, WPT & BC Deptt., Government of Assam has submitted one written statement vide letter no.TAD/BC/625/2020/Pt-I/22 dated 25.11.2021.

Perused the case record. The appellant submitted one petition dated 08.03.2021 under the RTI Act, 2005 before the SPIO, Finance (Budget) Deptt., Government of Assam seeking certain informations. The SPIO of Finance Deptt. transferred the said application to the Under Secretary of WPT & BC Deptt., Government of Assam vide letter no. BB.75/2019/17/ dated 16.03.2021. For non-receipt of the desired informations, the appellant submitted 1st appeal petition dated 25.03.2021 before the 1st appellate authority of Finance Deptt., Government of Assam. Still he did not receive the desired informations, as such, he preferred 2nd appeal dated 09.09.2021 before the Commission.

Perused the written statement submitted by the SPIO. Seen para 8 of the written statement wherein it is submitted that the appellant was informed to deposit an amount of Rs. 5000/- for making photocopies of the sought for informations vide letter no. TAD/BC/625/2020/Pt-I/13 dated 09.08.2021. But the SPIO may not be aware that he has requested the appellant to deposit the cost of photocopying much beyond the stipulated period of 30 days. The Right to Information Act, 2005 stipulate that informations should be provided within 30 days. It is also implied that the sought for informations is available with the SPIO but he did not furnish it as because the appellant did not deposit the fee for photocopying of the documents. Section 7(6) of the RTI Act, 2005 reads as follows-

“notwithstanding anything contained in sub-section (5), the person making the request for the information shall be provided the information free of charge where a public authority fails to comply with the time limits specified in sub-section (1).” **Therefore, the SPIO, WPT & BC Deptt., Government of Assam is directed to furnish the informations to the appellant within seven days of receipt of this order, free of cost.**

The 2nd appeal is disposed of.

Sd/-

(Kanak Ch. Sarma)

State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).277/2021

Dtd.30.11.2021

Copy to:

1. The SPIO, O/o the WPT & BC Deptt., Govt. of Assam, Dispur, Guwahati- 781 006 for information and necessary action.
2. The First Appellate Authority/office of the WPT & BC Deptt., Govt. of Assam, Dispur, Guwahati- 781 006 for information.
3. The Appellant, Sri Joydeb Das, S/o- Lt. Karunamoy Das, H/No.- 16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati- 781 025, Contact No. 9101522142 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.



Secretary & Registrar
Assam Information Commission