

Case No. : SIC/KP(M).214/2021.
Complainant/ Appellant : Shri Harinarayan Pathak.
Respondent : The SPIO, O/o the Assam Industrial Infrastructure Development Corporation, Industrial Estate, Bamunimaidam, Guwahati, PIN Code 781021, Assam.
Date of Hearing : 27-09-2021
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
01-10-2021

1. The appellant Shri Harinarayan Pathak is absent. But the Commission has received a letter No. SAP/1570/21122020/07 dated 29.09.2021 from the appellant informing that he would not be able to attend the hearing as he was suffering from viral fever.
2. Shri Ritumoni Pachani, SPIO & General Manager, Assam Industrial Infrastructure Development Corporation (AIIDC) is present. He has also submitted a written statement No. AIIDC/3089/2020/2218 dated 24.09.2021.
3. The appellant Shri Harinarayan Pathak had submitted an RTI application to the SPIO, AIIDC on 21.12.2020 seeking certain information under 4 (four) queries. The SPIO vide letter No. AIIDC/3089/2020/1364 dated 19.01.2021, informed the appellant that while query No. 2 was related to a different public authority, he was requested to deposit Rs. 428 (four hundred twenty eight) only as photocopying charges for information related to query No. 1 and 4.
4. The appellant however wrote back to the SPIO on 25.01.2021 that he was entitled to get the informations free of cost, as the stipulated time to respond to his RTI had expired. On examination however it was found that the stipulated time period had not expired as contended. While the appellant submitted his RTI application on 21.12.2020, the SPIO of AIIDC had sent him the reply on 19.01.2021 which is well within the stipulated 30-day period as provided in the RTI Act, 2005. The SPIO too stated during today's hearing that he had indeed replied to the RTI application well within the stipulated period, i.e. on 19.01.2021, and that delivery of his letter to the appellant by the Department of Post was not within his control.
5. On verification of the records, it has been found that the SPIO's claim was correct, that he had replied well within the stipulated 30-day period. This means that the appellant is not entitled to be provided the informations free of cost as claimed. The photocopy of the SPIO's letter dated 19.01.2021, which was enclosed with the 2nd Appeal on the other hand record shows that the appellant had received the same on 21.01.2021, i.e. within 3 (three) days of issue of the same. It is also seen from records that the SPIO's letter dated 19.01.2021, was posted on 20.01.2021, and was delivered the next day, 21.1.2021. The appellant is reminded that he should harbor any notion that the Public Authority is engaged exclusively to respond to his RTI queries and that it has lot of other official matters of urgency and public interest to look after.
6. **Given the above the Commission is of the considered view that the SPIO had replied to the appellant's RTI application well within the stipulated 30-day period as prescribed by the RTI, Act, 2005, and that the appellant is not entitled to get the**

informations free of cost. Therefore the SPIO is directed to furnish the information by realizing the necessary photocopying charges as mentioned in his letter dated 19.01.2021. The appellant is directed to deposit the photocopying charges and collect the information if he is at all interested. No further petition whatsoever will be entertained in connection with this case.

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/KP(M).214/2021

Dated: 01-10-2021

Copy to:

1. The SPIO, O/o the Assam Industrial Infrastructure Development Corporation, Industrial Estate, Bamunimaidam, Guwahati, PIN Code 781021, Assam, for information and necessary action.
2. First Appellate Authority/ O/o the Managing Director, Assam Industrial Infrastructure Development Corporation, Industrial Estate, Bamunimaidam, Guwahati, PIN Code 781021, Assam, for information.
3. The petitioner, Shri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati, PIN Code 781001 Assam, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar
Assam Information Commission.