

Case No. : SIC/MRN.6/2020
Complainant/ Appellant : Md. Alim Uddin
Respondent : The SPIO/Secretary, 21 No. Pavakati Gaon Panchayat, Bhalukajari, Burgaon, Morigaon PIN Code. 782411 Assam.
Date of Hearing : 12-04-2021
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
12-04-2021

1. The appellant Md. Alim Uddin is absent without any intimation.
2. The Public Authority is represented by Shri Dulal A. Sarkar, Dy. Chief Executive Officer, Morigaon Zilla Parishad, and Shri Debeswar Baishya, Secretary, Pavakati Gaon Panchayat. The Commission has decided to go ahead with the hearing despite the absence of the petitioner, but definitely in the interest of a citizen seeking information under the RTI Act, on the basis of the available records.
3. From perusal of records it is seen that the appellant Shri Alim Uddin had submitted an RTI petition to the SPIO, O/o the CEO, Morigaon Zilla Parishad on 17.08.2020, seeking a number of informations related to activities of the 21 Pavakati Gaon Panchayat under Mayong Development Block of Morigaon District under the 14th Finance Commission relating to the period 2016-17 to 2020-21. The information sought included amount of money sanctioned by the 14th Finance Commission, how and under what schemes the said sum was spent, copy of expenditure voucher, vigilance committee details, bank statement, photograph, implementation reports, work order, sanction order, and construction committee details. The SPIO, O/o the CEO, Morigaon Zilla Parishad transferred the said RTI petition on 01.09.2020 to the Secretary, 21 Pavakati Gaon Panchayat. Presumably not receiving any response, the appellant submitted a 1st Appeal which was received by the O/o the Morigaon Zilla Parishad on 16.10.2020. A hearing was held on his 1st Appeal on 02.11.2020, following which the appellant was informed that since the 21 Pavakati Gaon Panchayat does not have its own photocopying machine, as such the Gaon Panchayat Secretary was directed by the Deputy CEO, Morigaon Zilla Parishad to arrange for inspection of all the documents, copies of which were sought for by the appellant. The Gaon Panchayat Secretary was asked to organize the inspection within 15 (fifteen) days from the order on the 1st Appeal dated 02.11.2020. On 12.10.2020 the Gaon Panchayat Secretary wrote to the appellant vide letter No. PGP/2013-14/358 requesting him to visit the Gaon Panchayat office and inspect the documents, or visit the website of the P&RD Department and collect the informations sought for which are already uploaded in it. The Gaon Panchayat Secretary wrote another letter to the appellant vide letter No. PGP/2013-14/407 on 25.02.2021, once again requesting him to inspect the document. The Secretary of the 21 Pavakati Gaon Panchayat, while submitting the written statement on the matter in today's hearing, said that since then the said RTI petitioner Shri Alim Uddin had not contacted him. The Gaon Panchayat Secretary also said that he suspected that the RTI petitioner was not interested in procuring informations but had some other intentions. The Commission however cannot accept this, especially in the

absence of the appellant and without any documentary evidence substantiating the suspicion.

4. In view of the above, the Secretary, 21 Pavakati Gaon Panchayat and the CEO, Morigaon Zilla Parishad are directed to once again ask the appellant Shri Alim Uddin to visit the 21 Pavakati Gaon Panchayat Office on a day during office hours within 15 (fifteen) days from the receipt of this order. In case the appellant does not respond to the request of the Secretary, Pavakati Gaon Panchayat as directed within the stipulated time period, the matter will be considered closed.
5. The Secretary, 21 Pavakati Gaon Panchayat and the CEO, Morigaon Gaon Panchayat are also directed to submit an Action Taken Report to the Commission on the expiry of 15 (fifteen) days of receipt of this order.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/MRN.6/2020

Dated: 12-04-2021

Copy to:

1. The SPIO/Secretary, 21 No. Pavakati Gaon Panchayat, Bhalukajari, Burgaon, Morigaon PIN Code. 782411 Assam, for information and necessary action.
2. The First Appellate Authority/ O/o the CEO Morigaon Zilla Parishad, Morigaon, Assam, for information and necessary action.
3. The petitioner, Md. Alim Uddin, S/o Md. Zazim Uddin, Vill Garubandha P.O. Sandahkhaiti, P.S. Mayong, Distt. Morigaon, PIN Code. 782121, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar
Assam Information Commission