

ASSAM INFORMATION COMMISSION

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/KPM.83/2022
Complainant/ Appellant : Harinarayan Pathak
Respondent : SPIO, Finance Department, Govt. of Assam,
Dispur, Guwahati 06
Date of Hearing : 22/03/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
22/03/2022

1. The petitioner Sri Harinarayan Pathak has filed one RTI petition before the SPIO of Finance Department, Govt. of Assam, Dispur, Guwahati on 30.8.2021 seeking following information:
(A) Assam Gazette Notification in respect of the Assam Micro Finance Incentive and Relief Scheme (AMFIRS), 2021.
(B) Copy of the Memorandum of Understanding (M.O.U) being signed in between the Finance Department, Govt. of Assam and Micro Finance Institutions and Banks for implementation of the AMFIRS 2021 in a programme held on 24.8.2021 at the Assam Administrative Staff College, Khanapara, Guwahati.
(C) Name in full with Designated address of each of the signatories in the M.O.U. as referred to at the Query (B) above.
2. On non receipt of any information, the petitioner filed 1st appeal before the 1st Appellate Authority of Finance Department, Dispur on 27.10.2021.
3. The First Appellate Authority passed an order on 25.11.2021 stating that since the information relates to third party, the information sought for should be furnished only when it is received from the third party.
4. Then the petitioner filed 2nd appeal before the Commission on 12.2.2022 and accordingly the matter was taken up for hearing.
5. The petitioner Sri Harinarayan Pathak is present.
6. The Public Authority is represented by Sri Pranab Choudhury, ASPIO, Finance Department.
7. The APIO & Under Secretary to the Govt. of Assam, Finance (F) Department has submitted a written statement dated 17.3.2022 which is taken into records. In the written statement it is mentioned that some emails have been sent to the 3rd party dated 15.11.2021, 14.3.2022 and 28.10.2021.
On perusal of Section 11 of the RTI Act, 2005 reasonable opportunity is to be given to the 3rd party to obtain his consent and providing the information.
On this particular case, enough opportunities' have already been given by the SPIO.
8. As per the provision of the RTI Act, 2005, the SPIO to take decision on providing the information to the petitioner.
9. In view of the above, the case is disposed off.
Authenticated copies to be given to all concerned.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Copy to:

1. The SPIO/ Under Secretary to the Govt. of Assam, Finance Deptt. Dispur, Guwahati 06 for information and necessary action as ordered above.
2. The petitioner Sri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati 01 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Secretary & Registrar
Assam Information Commission