

OFFICE OF THE
ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/BNG 31/2021
Complainant/ Appellant : Sri Narendra Nath Sarma
Respondent : SPIO, Public Works (B& NH) Department,
Assam Secretariat, Dispur, Guwahati 06
SPIO, O/o the Chief Engineer, PWD (NH Works),
Chandmari, Guwahati
Date of Hearing : 30/05/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
30/05/2022

1. In continuation of earlier order dated 30.3.2022, the matter was taken up for hearing.
2. The petitioner Sri Narendra Nath Sarma is present.
3. The Public Authority is represented by Sri Pranab Kumar Borah, Executive Engineer, O/o the Chief Engineer, PWD (NH Works), Chandmari, Guwahati and he is accompanied by Chandan Kumar Medhi, Executive Engineer, PWD (NH), Abhayapuri Construction Division and Abdur Rahman Choudhury, AEE (T/C)& SPIO, O/o the Executive Engineer, PWD(NH), Abhyapuri Construction Division.
4. The petitioner presented a copy of letter no. BRD/BR/02/RTI-G/Pt-I/2019/30 dated 25.3.2022 with Annexure 1 stating that reply to question no.2 without final order of court "the information cannot be given" is not supported by any order of the court.
5. The petitioner further stated that Annexure 2 giving the list chronologically is the recent list, but he has asked for the list of 2007 which is not furnished. Then, he further stated that reply to question no.3 is not provided and question no.4 and 5 though intimated by the SPIO/Executive Engineer, Abhyapuri Division that he is not aware. The same was forwarded by the SPIO, Chief Engineer office vide letter no. BRD/BR/02/RTI-G/Pt-I/2019/355 Dated Guwahati 17th February, 2022 without clarifying who is aware of this matter.
6. The SPIO Sri Pranab Kumar Borah, Executive Engineer, O/o the Chief Engineer, PWD (NH Works) stated that he is new in posting and not aware of the RTI matter.
7. In light of it, **the Commission orders that as the RTI petition is addressed to SPIO, Commissioner & Special Secretary, PW(Building & NH) Department, Dispur, Guwahati, he is directed to collect the information and provide proper reply to the petitioner.**
This is as per the Delhi High Court order vide case no. W.P. (C) 900/2021 Rakesh Kumar Gupta Vs Central Information Commission (Delhi High Court) which quotes PIO/CPIO cannot function merely as "post offices" but instead are responsible to ensure that the information sought under the RTI Act is provided; unquote.
8. Fix another date of hearing and the SPIO of Commissioner & Special Secretary, PW(Building & NH) Department, Dispur, Guwahati, is directed to present with copy of the specific report given to the petitioner. He may bring other SPIOs if he desires.

Authenticated copies to be given to all concerned.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Copy to:

1. The Commissioner & Special Secretary, PW(Building & NH) Department, Dispur,Guwahati. He is to take necessary action as ordered above.
2. The SPIO, Public Works (B&NH) Department, Assam Secretariat, Dispur, Guwahati 06 Assam for information.
3. The SPIO, O/o the Chief Engineer, PWD (NH Works), Chandmari, Guwahati 03 for information.
4. The SPIO, O/o the Executive Engineer, PWD(NH), Abhayapuri Construction Division, for information.
5. The petitioner Sri Narendra Nath Sarma, Abhayapuri, Ward No.3, Workshop, Abhayapuri, Main Road, Bongaigaon, Assam for information.
6. Computer Section for uploading in the Website.
7. Office File.
8. Order Book.

Registrar
Assam Information Commission