

Case No. : SIC/OS.18/2021  
Complainant/ Appellant : Shri Mahesh Chand Sarma.  
Respondent : The SPIO/ Under Secretary (Home), Home  
Department, Dispur, Guwahati.  
Date of Hearing : 07-04-2022  
Complaint/ Second  
Appeal heard by : Dr. Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**07-04-2022**

1. The appellant Shri Mahesh Chand Sarma is absent. But the Commission has received a letter from him through e-mail in which he has expressed his inability to attend the hearing due to ill health and other exigency. He has however by and large requested for disposing the matter.
2. The SPIO, Home (A) Department, Govt of Assam is absent. But the Commission has received a written statement from the SPIO dated 05.04.2022.
3. From records it is seen that the appellant Shri Mahesh Chand Sarma had submitted one RTI application to the SPIO, Home Department, Govt. of Assam on 26.03.2021. The SPIO, Home Department on 28.04.2021 furnished him informations. From perusal of the reply dated 28.04.2021 it is seen that while the appellant had sought informations under 11 queries, the SPIO provided him specific information related only to query No. 1. Regarding query No. 2 it was stated that there was no such record found in the Department. Regarding query No 3 to 9, the SPIO quoted Section 2(f) of the RTI Act, 2005 which defines information, indicating that the informations sought under queries No. 3 to 9 do not fall under the definition of information. Regarding query No. 10 it was stated that no specific time or date can be given "as of now". Regarding query No. 11 it was stated that the concerned file was with the WPT & BC Department and that the Home Department would examine the matter to providing him information once the file was received back.
4. **From the above it is seen that clear informations have been provided against queries No. 1 to 9. The SPIO, Home (A) Department had on 28.04.2021 referred to a particular file related to query No. 11 being currently with the WPT & BC Department. In view of the above, the SPIO, Home (A) Department, is directed to provide informations if any against queries No. 10 and 11 provided those are not exempted by the RTI Act, 2005, or by order of any court of law, with 15 (fifteen) days from the date of return of the concerned file from the WPT & BC Department. The information shall be provided free of cost.**
5. With the above order, this 2<sup>nd</sup> Appeal is hereby disposed of.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/OS.18/2021/33-A**

**Dated: 07-04-2022**

Copy to:

1. The SPIO/ Under Secretary (Home), Home Department, Dispur, Guwahati, PIN Code 781006, Assam, for information and necessary action.
2. First Appellate Authority/ Secretary (Home), Home & Political Department Department of Home, Dispur, Guwahati, PIN Code 781006, Assam, for information.
3. The petitioner, Shri Mahesh Chand Sharma, Asstt. Inspector General of Police (W & S), Assam, Rtd. House No. 532, Block-C, Sector-PHI-III, Greater Noida, Distt. Gautam Budh Nagar, Uttar Pradesh, PIN Code 201310, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar  
Assam Information Commission.