

OFFICE OF THE
ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/KP(M) 68/2022
Complainant/ Appellant : Shri Joydeb Das
Respondent : SPIO, O/o the Commissioner of Transport,
Paribahan Bhawan, Khanapara, Guwahati
Date of Hearing : 02/08/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
02/08/2022

1. The petitioner has filed a complaint petition against Commission's order dated 17.3.2022 before the Commission on 19.5.2022 and accordingly, the matter was taken up for hearing.
2. The petitioner Shri Joydeb Das is present.
3. The Public Authority is represented by Shri Pradip Senapati, SPIO, Commissioner of Transport, Paribahan Bhawan, Khanapara, Guwahati.
4. The SPIO stated that he has promptly transferred the RTI petition u/s 6(3) of the RTI Act, 2005 to the Deemed PIOs of Office of the Deputy Commissioner, Kamrup (Metro)/Dibrugarh/Lakhimpur vide letter dated 17.3.2022.
5. The petitioner complained that vide letter dated 10.5.2022, the SPIO of the office of Deputy Commissioner, Lakhimpur has sent a sketchy information i.e., only the receipt and payment of due under the heading like compensation to the affected pattadars, shifting and dismantling of existing electrical networks etc etc.
6. The petitioner stated that no information has been received from the Office of the Deputy Commissioner, Kamrup(M).
7. The petitioner further stated that the SPIO, O/o the Deputy Commissioner, Dibrugarh vide letter no. DRA 35/2017 dated 25.3.2022 had replied "point no. 1 (c) and (d) does not arise" – which is no reply to his petition.
8. In light of the above, the Commission would like to quote RTI questions of the petitioner as follows for clarity of the SPIO/Deemed SPIOs.
 1. (c) Please furnish in details of statement of progress of work, expenditure and utilization certificate.
 - (d) Please furnish a copy of minutes, quotation, delivery challan, stock entry, utilization certificate and bill in respect of purchase of E Challaning equipment's.
9. **Taking above points into consideration, the Commission directs the Deemed PIOs to go through the RTI questions carefully and submit the reply within fifteen days to the petitioner with copy to the SPIO of the Office of Commissioner of Transport, Paribahan Bhawan, Khanapara, Guwahati and the Registry of this Commission.**
10. **The SPIO of Commissioner of Transport, Paribahan Bhawan, Khanapara, Guwahati to see that the information is properly provided to the petitioner.**
The Commission would also like to reiterate the role of SPIO by quoting Delhi High Court Order as follows: the order of_Rakesh Kumar Gupta Vs Central Information Commission (Delhi High Court) which says 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*

11. Fix another date of hearing after one month and SPIO and Deemed PIOs are directed to appear on the next date of hearing.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).68/2022

Dtd. 02.08.2022

Copy to:

1. The SPIO, O/o the Commissioner of Transport, Paribahan Bhawan, Jawahar Nagar, Khanapara, Guwahati 22 for information and necessary action as ordered above. He is to remain present on the next date of hearing.
2. The SPIO, Office of the Deputy Commissioner, Kamrup (M), Guwahati , Assam for information and necessary action as ordered above. He/She is to remain present on the next date of hearing.
3. The SPIO, Officer of the Deputy Commissioner, Dibrugarh, Assam for information and necessary action as ordered above. He/She is to remain present on the next date of hearing.
4. The SPIO, Officer of the Deputy Commissioner, Lakhimpur, Assam for information and necessary action as ordered above. He/She is to remain present on the next date of hearing.
5. The petitioner Sri Joydeb Das, S/o Late Karunamoy Das, House No.16, Ambari Fatahil, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Guwahati 25 Assam for information. He is to remain present on the next date of hearing.
6. Computer Section for uploading in the Website.
7. Office File.
8. Order Book.

Registrar
Assam Information Commission