

OFFICE OF THE  
**ASSAM INFORMATION COMMISSION**

**JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/HLK.34/2021  
Complainant/ Appellant : Shri Johirul Islam Laskar.  
Respondent : The SPIO, O/o the Executive Engineer, PHE,  
Hailakandi Division, Assam.  
Date of Hearing : 01-04-2022  
Complaint/ Second  
Appeal heard by : Dr. Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**01-04-2022**

1. The appellant Shri Johirul Islam Laskar is absent. But he has authorized one Shri Shah Nawaj Mazumdar to attend the hearing on behalf of him. Accordingly, Shri Shah Nawaj Mazumdar has attended the hearing today by submitting a letter of authority.
2. The SPIO, O/o the Executive Engineer, PHE, Hailakandi Division is absent. But the Commission has received a letter from the SPIO dated 01.04.2022 stating his inability to attend the hearing on health grounds. The SPIO however has not submitted any health certificate to support his claim.
3. From records it is seen that the appellant Shri Johirul Islam Laskar had submitted one RTI application to the SPIO, O/o the Executive Engineer, PHE, Hailakandi Division on 07.08.2021 seeking informations related to the Department. On not getting any response he submitted a 1<sup>st</sup> Appeal on 15.09.2021 and later a 2<sup>nd</sup> Appeal on 02.11.2021.
4. During today's hearing Shri Shah Nawaj Mazumdar, appearing on behalf of the appellant, said that the informations have not yet been provided. The SPIO, O/o the Executive Engineer, PHE, Hailakandi Division, in his letter No. PHEE/H/TB-503/2021-22/01 dated 01.04.2022 has mentioned that the appellant Shri Johirul Islam Laskar has "agreed to a settlement" that he will be provided a reply on his query later on. The RTI Act, 2005, has not provided for any "agreement" or "settlement" for disposing RTI queries. As such, the SPIO, O/o the Executive Engineer, PHE, Hailakandi Division, is directed to explain in writing as to what kind of "agreement/settlement" he had entered with the appellant Shri Johirul Islam Laskar in connection with the RTI application. This written statement should reach the Commission within 15 (fifteen) days from the date of receipt of this order.
5. The SPIO, O/o the Executive Engineer, PHE, Hailakandi Division, is directed to provide the informations to the appellant within 15 (fifteen) days from the date of receipt of this order, free of cost. He shall also obtain an acknowledgement receipt from the appellant and provide a copy of the same to the Commission. The Commissioner & Secretary, Chief Engineer, PHE Department, Govt. of Assam, is directed to enquire into what kind of "agreement" the SPIO, O/o the Executive Engineer, PHE, Hailakandi Division, has entered into with the appellant Shri Johirul Islam Laskar in disposing a RTI application, as has been in the above mentioned letter dated 01.04.2022, and take necessary action.
6. 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/HLK.34/2021**

**Dated: 01-04-2022**

Copy to:

1. The SPIO, O/o the Executive Engineer, PHE, Hailakandi Division, Assam, for information and necessary action.
2. The Commissioner & Secretary, Chief Engineer, PHE Department, Govt. of Assam, for information and necessary action.
3. First Appellate Authority/ O/o the Executive Engineer, PHE, Hailakandi Division, Assam, for information.
4. The petitioner, Shri Johirul Islam Laskar, S/o. Lt. Abdul Jobbar Laskar, Vill. Bakrihawar-XII, P.O. Kalibari Bazar, P.S. Algapur, Distt. Hailakandi, Assam, for information.
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.

Secretary & Registrar  
Assam Information Commission.