

OFFICE OF THE  
**ASSAM STATE INFORMATION COMMISSION**  
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-39

Complaint Case No: DHR.89/2012

Complainant : Saman Ali Sk.  
Vill- Sagurmari Pt. IV, PO- Bilasipara  
Dist- Dhubri, Assam

Public Authority: Deputy Commissioner, Dhubri

Heard by: Shri Himangshu Sekhar Das,  
Assam State Chief Information Commr.

Complainant was Represented by: Saman Ali Sk.

Public Authority was represented by: Absent

**O R D E R**  
**17.3.2015**

The appellant Shri Saman Ali Sk. Is present. The Public Authority is absent without any information or seeking leave of absence from the Commission. The case is taken up for hearing ex-parte in the absence of the Public authority.

From perusal of the case records, it is seen that the original RTI application was addressed to the Superintendent, Food and Civil Supplies, Bilalsipara on 09.7.2010. Having not received any information, the applicant filed appeal petition before the Chief Information Commissioner, Assam on 30.7.2012. Being the first appeal, the Commission forwarded the appeal petition to the Deputy Commissioner, Dhubri for disposal within 30 ( thirty) days. Vide order dated 3.12.2010 the Deputy Commissioner, Dhubri observed that in the instant case it is the Sub-Divisional Officer ( Civil), Bilasipara will be the first Appellate Authority. The Deputy Commissioner, Dhubri accordingly disposed of the appeal petition by directing the SDO ( C ), Bilasipara to take hearing and submit compliance report to the State Information Commission with intimation to the Deputy Commissioner, Dhubri. Thereafter, there is nothing on the record about any action taken by the SDO ( C ), Bilasipara. This inaction on the part of the SDO ( C ), Bilasipara as the first Appellate Authority and the concerned SPIO appears to be in violation of the relevant provision of the RTI Act, 2005

SDO (C), Bilasipara is hereby directed to hear the appeal petition of the RTI appellant within 15 ( fifteen) days from the date of receipt of this order. He will dispose of the appeal petition with a speaking order stating and directing the SPIO clearly the information that can be and ought to be provided under the RTI Act, 2005. SDO ( C ), Bilasipara will report compliance to this Commission within 10 ( ten) days from the date of taking his hearing and passing the speaking order.



The concerned SPIO in the office of the SDO (C), Bilasipara and or in the office of the Superintendent of Food & Civil Supplies, Bilasipara, as the case may be, as ascertained by the SDO (C ), Bilasipara is directed to show cause within 30 (thirty) days from the date of receipt of this order as to why penalty u/s 20 of the RTI Act, 2005 shall not be imposed on him for his failure/deny to provide the information sought for by the RTI applicant.

(H. S. Das)  
Assam State Chief Information Commissioner,  
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar  
Assam State Information Commn.

Memo No. DHR.89/2012/

Dtd.17.3.2015

Copy to:

1. The Deputy Commissioner, Dhubri for information and necessary action.
2. The Sub-Divisional Officer ( C ), Bilasipara,Dist- Dhubri for information and necessary action.
3. The SPIO in the office of the SDO (C ), Bilasipara for information and necessary action.
4. The Superintendent of Food & Civil Supplies, Bilasipara, Dist- Dhubri for information & necessary action.
5. Computer Section foruploading in the Website.
6. Office File.

Secretary & Registrar  
Assam State Information Commission