

**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KMJ.54/2012
Complainant/ appellant : Shri Tarun Dey
Respondent : CDPO, Patherkandi ICDS Project,
Dist. Karimganj
Date of hearing : 24. 6.2015
Complaint/ Second : Shri H.S. Das, IAS (Retd)
appeal heard by : Chief Information Commissioner, Assam

O R D E R
24.6.2015

The petitioner Shri Tarun Dey is absent without any information. The Public Authority is represented by Smt. Provawati Bhattacharya, CDPO, Patherkandi ICDS Project. The complaint petition dtd 19.9.12 is taken up for hearing ex-parte.

The District Social Welfare Officer, Karimganj has sent a written submission dtd. 22.6.15 through the CDPO stating that he had not received any appeal petition from the petitioner Shri Tarun Dey, although a copy of the appeal petition is available in the case records. It is also seen from the case records that vide letter dtd 28.5.12 the CDPO of Patherkandi ICDS Project replied to the petitioner Shri Tarun Dey by giving some information point-wise to the RTI petition dtd 16.4.12. It is therefore, seen that the petitioner filed his first appeal petition before the District social Welfare Officer on 25.5.12, before CDPO furnished information to him on 28.5.12. The complainant has himself stated in his complaint petition dtd 19.9.12 that response from the CDPO, Patherkandi was received on 18.6.12. If he was dis-satisfied with the information received he could have approached the first appellate Authority within the stipulated period of 30 days. But he did not. Thereafter he filed a complaint petition, which falls in the category of second appeal u/s 19(3) of the RTI Act, 2005 before this Commission, after expiry of 90 days from 20.5.12.

In view of the above, his second appeal petition is rejected. However, the petitioner Shri Tarun Dey will be free to file a first appeal petition by following the due procedure laid down under the relevant rules under the RTI Act, 2005 pointing out as to what extent he was not satisfied with the information furnished to him by the CDPO within 30 days from the date of this order which will be sent to the petitioner by registered A/D post with intimation to the first Appellate Authority.

Sd/-

(H. S. Das)

Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No.KMJ.54/2012/

Dtd. 24.6.2015

Copy to:

1. The CDPO, ICDS Project, Patherkandi, Dist. Karimganj, Assam for information and necessary action.
2. Shri Tarun Dey, Vill- North bandarkunan, PO- Eraligool, Dist. Karimganj, Assam, PIN-788723 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission