



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

Case No. : **KP(M) 655/2013**

Complainant/ appellant : **Sri Devendra Saikia**

Respondent : **Chairman,
Sadharan Jati Unnayan Parishad**

Date of hearing : **01-10-2015**

Complaint/ Second
appeal heard by : **Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The petition dated 1-3-2014 of Sri Devendra Saikia, complaining non-compliance of the orders dated 30-12-2013 and 28-1-2014 of this Commission was taken up for hearing today. Notice was served on the SPIO in the office of the Chairman, Sadharan Jati Unnayan Parishad, Assam and to the complainant Sri Devendra Saikia. Both the parties are absent without information. Non-compliance of the complaint petition is therefore, taken up for consideration on the basis of available records in the case file.

It is seen that in compliance with Hon'ble High Court's order dated 4-12-2013 the then Information Commissioner Sri M. C. Malakar had already disposed of the RTI petition dated 10-4-2013 and the subsequent appeal petition of the petitioner by a speaking order dated 30-12-2013. The then SIC directed the public authority concerned to furnish the required documents, free of cost within 10 days. He further directed the SPIO in the office of the Sadharan Jati Unnayan Parishad to show cause within 20 days for the delay in furnishing the information and why penalty under Section 21 of the RTI Act shall not be imposed on him. Although summon was issued for appearance of the SPIO of the office of the Chairman, Sadharan Jati Unnayan Parishad, Assam, it appears from the return copy of the summon that instead of serving the summon on the SPIO mentioned above, it was served on the petitioner Sri Devendra Saikia.

The present position of the case is that the SPIO of the office of Sadharan Jati Unnayan Parishad, Assam is yet to furnish the information to the petitioner, as complained vide his petition dated 1-3-2014 and he is yet to make a written statement in compliance with this Commission's earlier orders dated 30-12-2013 and 28-1-2014,

In view of the above, the Commission directs the SPIO of the office of Sadharan Jati Unnayan Parishad, Assam, and if no SPIO has been appointed so far, then the Sr. most functionary of Sadharan Jati Unnayan Parishad, Assam to submit his written statement in compliance with the earlier orders dated 30-12-2013 and 28-1-2014 to this Commission within 31st October, 2015.

Fix 12th November, 2015 at 11 A.M for next date of hearing. Issue notice on the respondent, enclosing copies of earlier orders to this Commission, through WPT & BC Department.

Also please advise the Registry of Hon'ble Gauhati High Court that its earlier order dated 4-12-2013 in WP(c) Writ petition (Civil) No. 6972/2013 was complied with vide order dated 30-12-2013 of the then State Information Commissioner, Sri M. C. Malakar.

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

Authenticated true copy.

**Secretary & Registrar
Assam State Information Commission**

Memo No. **KP(M) 655/201/ -A**

Dtd. 01-10-2015

Copy to;

1. Chairman, Sadharan Jati Unnayan Parishad,. Assam, Uzanbazar, M.C.Road, Guwahati- 781 001 for information and necessary action.
2. Commissioner & Secretary, WPT &BC Department, Dispur, Guwahati-6 for information and necessary action.
3. Sri Devendra Saikia, President, Sadharan Jati Unnayan Parishad, Assam, Uzanbazar, M.C. Road, House No-45 Near Jyoti Gas Agency, Guwahati for information.
4. Computer Section for uploading in the Website.
5. Office File.

**Secretary & Registrar
Assam State Information Commission**