



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

Case No. : HLK.12/2013

Complainant/ appellant : Md. Foyaz Ahmemd Mazumder

Respondent : CEO, Zilla Parishad, Hailakandi

Date of hearing : 27.10.2015

Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
appeal heard by : State Information Commissioner, Assam

O R D E R
27.10.2015

Secretary, Dinanathpur GP, Shri Timirjyoti Nath Mazumdar was present.

Appellant Shri Foyaz Ahmed Mazumder was absent.

Perused the records pertaining to the Second Appeal case, Appellant had applied for certain information through his application dtd 13.9.2012 submitted to CEO, Zilla Parishad, Hailakandi.

Perused letter No. HZP.738/RTI/2014-15/626 dtd 15.10.15 addressed to Commission by CEO, Zilla Parishad, Hailakandi through which it has been submitted that prompt action has been taken by the Zilla Parishad to direct the BDO, Katlicherra Development Block, being the First Appellate Authority and the Secretary, Dinanathpur GP on receipt of Commission's hearing notice No. SIC/HLK.12/2013/5 dtd 7.9.15 and letter No. SIC/HLK.12/2013/7 dtd 3.10.15. Although the CEO, Zilla Parishad, Hailakandi has stated in his letter that the BDO, Katlicherra Dev. Block being the First Appellate Authority was directed to apprise Commission regarding the steps taken by way of disposal of the appeal petition of Md. Foyaz Ahmed Mazumder, he has not provided any evidence of transferring the First Appeal petition to the said BDO.

Perused the letter No. DGP-50/RTI/2012-13 dtd 27.10.15 submitted to Commission by Secretary, Dinanathpur GP. Secretary, Dinanathpur GP also submitted in person the contents of the said letter and stated that the information sought for by the applicant has been furnished to him through his letter No. DGP-50/RTI/2012-13 dtd 5.10.15 excepting for information relating to IVDS Schemes, with which the GP is not concerned.

Sequence of events and facts stated above indicate that the Public Authority failed to provide the information sought for by the Applicant within the time frame mandated by the RTI Act, 2005. Particularly there is no evidence of BDO, Katlicherra

Development Block as the First Appellate Authority having disposed of the First Appeal preferred by the Applicant, if the Zilla Parishad Authorities had indeed transferred the First Appeal case to BDO, Katlicherra Development Block as the First Appellate Authority.

In the absence of Appellant it could not be determined as to whether he was satisfied with the information furnished to him. However, based on the submission of the Secretary, Dinanathpur GP, the Second Appeal case is disposed of.

Appellant is at liberty to approach Commission again if he is not satisfied with the reply received from the Secretary, Dinanathpur GP.

The Public Authorities at various levels concerned with this case are hereby directed by the Commission to deal with RTI applications and appeals received under the RTI Act, 2005 with greater promptitude.

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar
Assam State Information Commission

Memo No. HLK.12/2013/

Dtd. 27.10.2015

Copy to:

1. The Chief Executive Officer, Zilla Parishad, Hailakandi, Dist. Hailakandi for information..
2. Block Development Officer, Katlicherra Development Block, Katlicherra, Dist. Hailakandi, Assam for information.
3. Md. Foyaz Ahmed Mazumder, Vill- Chandrapur, PO- Kuchila Bazar, Dist. Hailakandi, Assam, PIN- 788155 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission