

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

Case No. : BPT.54 /2013

Complainant/ appellant : Sri Bgadreswar Sarma

Respondent : Deputy Commissioner, Barpeta

Date of hearing : 03.11.2015

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

O R D E R
03.11.2015

Both the parties are absent.

Perused the records in the Second Appeal Case.

The following dates are relevant.

18.3.13	RTI Application filed before the Deputy Commissioner, Barpeta
25.4.13	First Appeal preferred to Deputy Commissioner, Barpeta
20.6.13	Second Appeal filed before the Commission
12.10.15	Hearing Notice.

Perused the written submission made by the Deputy Commissioner, Barpeta as First Appellate Authority and SPIO/ADC, Barpeta. It appears that ADC, Barpeta had requested through his letter No. BDD.262/09/HowlyTC/29 dtd. 31.3.12 the Chairman, Howly Town Committee to provide the information within 5.4.12. It also indicates that some correspondences were issued by the SPIO on this matter. However, the information was not made available and the Deputy Commissioner, Barpeta as First Appellate Authority ordered dtd 19.10.15 that the same may be provided for within 3 days on receipt of that order. Compliance with the Deputy Commissioner's order within the stipulated time has not been reported to the Commission.

Considering the above facts, it is hereby ordered that the SPIO will ensure that the information sought for by the Applicant Shri Bhadreswar Sarma is provided to him in compliance with the said order of the First Appellate Authority and at any rate, not later than 10 days from the date of receipt of this order.

The Commission also orders that the Deputy Commissioner, Barpeta as First Appellate Authority will call for the action taken report and finally dispose of the First Appeal petition of the Appellant Shri Bhadreswar Sarma within 15 days of receipt of this order.

The attention of all the officials constituting the Public Authority in respect of the instant RTI Application/Appeal to the fact that inordinate delay has happened in providing the information to the RTI Applicant and that such delays may violate provisions of the RTI Act, 2005 in the matter of timely furnishing of the information and ought to be cautioned without a reasonable cause in future.

With this, the Second Appeal petition is disposed of.

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar
Assam State Information Commission

Memo No. BPT.54/2013/

Dtd. 03.11.2015

Copy to:

1. The Deputy Commissioner, Barpeta district, Barpeta, Assam for information and necessary action.
2. The SPIO & Addl. Deputy Commissioner, Office of the Deputy Commissioner (Development Branch), Barpeta, Assam for information and necessary action.
3. Shri Bhadreswar Sarma, Vill-Moiramara, PO- Howly, Disit- Barpeta, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission