

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

Case No. : KMJ.14 /2014

Complainant/ appellant : Md Joinul Haque

Respondent : Secretary, Farampasha GP

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.

28.11.13	RTI Application was submitted to Secretary, Farampasha GP
13.1.14	First Appeal made to CEO, Karimganj Zilla Parishad
24.2.14.	Second Appeal filed before the Commission.
16.10.15	Hearing Notice.

No written submission received from SPIO namely Secretary, Farampasha GP or the First Appellate Authority and therefore it is not known if the information sought by the Appellant/Applicant has in the meantime been provided with.

The SPIO has not submitted any explanation as to why penalty u/s 21 of the RTI Act, 2005 for not providing the information within 30 days which was sought through the aforementioned hearing notice of 16.10.15.

It is also not known to the Commission whether BDO, South Karimganj as First Appellate Authority has disposed of the First Appeal by Md. Joinul Haque.

After a careful consideration of the Second Appeal Case, it is hereby ordered that the SPIO shall provide the information sought for by the Appellant/Applicant, if already not done, within 10 days of receiving this order free of cost.

It is further ordered that SPIO will submit within 15 days of receipt of this order an action taken report and explain as to why penalty u/s 21 of the RTI Act, 2005 shall

not be imposed on him for failure to provide the sought for information within 30 days.

It is further ordered that the First Appellate Authority will consider and dispose of the First Appeal submitted by the Applicant dtd 13.1.14 within 21 days of receipt of this order with a speaking order whereupon a copy of the order will be submitted to this Commission.

Further hearing will be taken depending on the written submission of SPIO and the receipt of the speaking order of First appellate Authority.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. KMJ.14/2014/

Dtd. 03.11.2015

Copy to:

1. The Block Development Officer, South Karimganj Dev. Block, Dist. Karimganj, Assam, PIN-788710 for information and necessary action.
2. The Secretary, Farampasha Gaon Panchayat, Nilambazar, PO- Nilambazar, Dist. Karimganj, Assam, PIN-788722 for information and necessary action.
3. Md. Joinul Haque, Vill & PO- Nilambazar, dist. Karimganj, Assam, PIN-788722 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission