

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

Case No. : KMJ.4/2014  
Complainant/ appellant : Md Nazrul Islam  
Respondent : CDPO, South Karimganj ICDS Project  
Date of hearing : 05.11.2015  
Complaint/ Second : Shri Pinuel Basumatary, IA&AS ( Retd)  
appeal heard by : State Information Commissioner, Assam

**O R D E R**  
05.11.2015

Public Authority was absent  
Appellant has sent letter praying for leave of absence on account of illness and submitted that he was yet to receive the information he had sought for.

Perused the case records. The following is the sequence of events

24.4.13	RTI Application submitted to the CDPO, South Karimganj ICDS project.
4.11.13	Second Appeal filed to Commission
15.10.15	Hearing Notice.

As the SPIO is absent and no written statement received from him, this Commission has no option but to go by the contention of the Appellant.

After careful consideration, it is hereby ordered that SPIO will provide the information to the Appellant/Applicant within a period of 10 days of receipt of this order free of cost and the First Appellate Authority will consider and dispose of the First Appeal submitted by Md Nazrul Islam with a speaking order within a period of 21 days of receipt of this order.

Further, it is ordered that as to why SPIO has not submitted to the Commission, his explanation that the Commission shall not impose penalty u/s 20(1) of the RTI Act, 2005 for failing to provide information sought for by the appellant within the time frame i.e 30 days stipulated by the RTI Act, 2005 in spite of Commission's instruction contained in the hearing notice No. SIC/KMJ.4/2014/10 dtd 15.10.15.

Explanation of the SPIO may be submitted to the Commission within a period of 15 days of receipt of this order.

Fix next date of hearing in 5(five) weeks.

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar  
Assam State Information Commission

Memo No. KMJ.4/2014/

Dtd. 05.11.2015

Copy to:

1. The Child Development Project Officer, South Karimganj ICDS Project, Karimganj, Assam, PIN- 788720 for information and necessary action. .
2. Md. Nazrul Islam, Vill & PO- Ambarkhana, Dist. Karimganj, Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar  
Assam State Information Commission