

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

Case No. : HLK.22/2014
Complainant/ Appellant : Md. Foriz Uddin Laskar
Respondent : District Elementary Education Officer, Hailakadi
Date of hearing : 07.12.2015
Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R
07.12.2015

The Appellant is present. The SPIO, Office of the District Elementary Education Officer, Hailakandi is absent without information.

A perusal of the case records indicate the following significant dates:

10.10.13 The RTI Application made to DEEO, Hailakandi.
19.01.13 First Appeal submitted to DEEO, Hailakandi.
22.01.14 Second Appeal submitted to the Commission.
05.09.14 Appeal Petition forwarded by the Appellant.
21.11.15 Hearing notice from the Commission.

The case is heard exparte the SPIO. The Appellant has submitted that he had not received the information he had sought for.

The SPIO has not submitted any written statement on furnishing of the information sought for by the Appellant. The SPIO has also not explained as to why penalty will not be imposed on him Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days.

The First Appellate Authority/DEEO, Hailakandi has not apprised the Commission about the steps he had taken, if any, to dispose of the First Appeal in time either by written submission or by deputing his authorized representative to the hearing.

After careful consideration of the facts of the case as mentioned in the following paragraphs, the Commission concludes that the SPIO and the FAA have failed to comply with the provisions of the RTI Act, 2005 as regards the instant RTI Application/First Appeal. The Commission, therefore, hereby orders that the SPIO, Office of the DEEO, Hailakandi will provide the information sought for by the Applicant free of cost within 10 days of receipt of this order and submit an explanation as to why penalty will not be imposed on him Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days, within 15 days of receipt of this order.

The Commission further orders that the FAA/DEEO, Hailakandi will consider and dispose of the First Appeal Petition dated 19/11/2013 submitted by the Appellant within a period of 21 days of receipt of this order.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Copy to:

1. The District Elementary Education Officer, Hailakandi, Dist- Hailakandi, Assam for information and necessary action.
2. Md. Foriz Uddin Laskar, S/o- Lt. Arrjumond Ali Laskar, Vill- Kanchanpur-II, P.O.- Kanchanpur, P.S.- Hailakandi, Dist. Hailakandi, (Assam) Pin-788152 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission