



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

Case No. : MRN.9/2013
Complainant/ Appellant : Md. Mahkubar Rahman Choudhury
Respondent : D.C, Morigaon
Date of hearing : 11.12.2015
Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R

11.12.2015

Both the SPIO and the Appellant absent.

Perusal of the case records indicates the following sequence of significant dates:

19.11.2012 RTI Application filed with D.C., Morigaon.
07.01.2013 First Appeal filed with D.C., Morigaon.
14.12.2013 Second Appeal filed with the Commission.

The SPIO has not submitted any written submission on the steps he may have taken for furnishing the information sought for by the Appellant. He has also not submitted, as he was asked to do through the commission's hearing notice dated 27.11.2015, an explanation as to why penalty will not be imposed on him/her 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 D.C. Morigaon, as First Appellate Authority has not submitted, as asked to do by the Commission through its aforementioned hearing notice any written submission to apprise the Commission on the steps he/she may have taken to dispose of the First Appeal in time in accordance with the RTI Act, 2005.

In the absence of the Appellant and written submission from him, the Commission could not determine whether he has received the information he had sought for after he had filed the Second Appeal.

In view of the above, the Commission hereby orders that the SPIO in the office of the D.C. Morigaon will provide, if not already done, the information, free of cost, within 10 days on receipt of this order.

The Commission also hereby orders that the D.C. Morigaon as the First Appellate Authority will consider and dispose of the First Appeal filed by the Applicant/Appellant dated 07.01.2013 with a speaking order within a period of 15 days from receipt of this order.

The SPIO in the office of the D.C. Morigaon will submit an explanation to the Commission as to why penalty will not be imposed on him/her 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 from the date 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 SPIO in the Office of the D.C. Morigaon Dist- Morigaon, Pin- 782015(Assam) for information and necessary action.
2. The D.C. Morigaon, Dist- Morigaon, Pin- 782015(Assam) for information and necessary action.
3. Md. Mahkubar Rahman Choudhury, Vill/PO-Mukalmua, Dist- Nalbari, Assam, Pin- 781126 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission