

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

Case No. : MRN.22/2013
Complainant/ Appellant : Md. Asraful Alom
Respondent : BDO, Laharighat Development Block, Morigaon
Date of hearing : 10.12.2015
Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R
10.12.2015

Both parties absent without information.

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

16.09.2013 RTI Application filed with BDO, Laharighat Development Block, Morigaon
29.10.2013 First Appeal filed with BDO, Laharighat Development Block, Morigaon
06.11.2013 Second Appeal filed with the Commission

No written statement has been received from the SPIO. The SPIO also has not submitted any 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. Through its notice dated 27.11.2015, the BDO, Laharighat Development Block, Morigaon as First Appellate Authority had been ask to apprise the Commission about the steps he had taken, if any, to dispose of the First Appeal in time or to depute an authorized representative to the hearing.

The BDO, Laharighat Development Block, Morigaon has not complied with this direction from the Commission.

In the absence of the SPIO and no written statement from him and the First Appellate Authority, and also the absence of the Appellant, the Commission could not determine the latest position relating to furnishing of the information sought for by the Applicant/ Appellant.

Considering the abovementioned position, the Commission hereby orders that the SPIO in the office of the BDO, Laharighat Development Block, Morigaon shall furnish, if already not done, the information sought for by the Applicant/ Appellant to him, free of cost, within a period of 10 days of receipt of this order.

The BDO, Laharighat Development Block, Morigaon being the FAA shall consider and dispose of the First Appeal filed by the Applicant/ Appellant dated 29.10.2013 within a period of 15 days of receipt of this order.

The Commission, further orders that the SPIO, office of the BDO, Laharighat Development Block, Morigaon shall submit 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, within 15 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

Memo No. MRN.22/2013 -A

Dtd. 10.12.2015

Copy to:

1. The SPIO in the Office of the BDO, Laharighat Development Block, PO- Tengaguri, PS- Laharighat, Dist- Morigaon (Assam) Pin- 782127 for information and necessary action.
2. The BDO, Laharighat Development Block, PO- Tengaguri, PS- Laharighat, Dist- Morigaon (Assam) Pin- 782127 for information and necessary action.
3. Md. Ashraful Alam, s/o Ali Akbar, Vill- Mohmari Pathar, P.O.-Tengaguri, PS- Laharighat, Pin- 782127 (Assam) for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission