

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

Case No. : HLK. 16./2014

Complainant/ appellant : Shri Ram Narayan Naidu

Respondent : Asstt. Director, Food, Civil Supplies & CA, Hailakandi

Date of hearing : 30.11.2015

Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R
30.11.2015

Both the parties are absent without information.

Perused the case records. The following is the sequence of important dates:

15.11.13	RTI Application submitted to Asstt. Director, FCS&CA, Hailakandi
18.11.13	Asstt. Director, FCS&CA transferred the Application u/s 6(3) to GPSSs
28.11.13	Information furnished by Secy., GPSS, Algapur
4.12.13	Information provided by Secy., Bhatinpura GPSS
Nil	First Appeal submitted to Asstt. Director, FCS&CA
8.1.14	Asstt Director, FCS&CA ordered to Provide the sought for information to concerned GPSS.
23.1.14	Secy., Algapur GPSS wrote regarding RTI information
17.2.14	Secy., Bhatinpura GPSS wrote regarding RTI information
Nil	RTI Applicant wrote again for RTI information
28.1.14	Asstt Director, FCS&CA Wrote to Secy., Bhatinpur GPSS for the information to be provided.
Nil	Second Appeal filed before the Commission
18.11.15	Hearing Notice served by the Commission.

Written statement has been received neither from the Secretaries of the GPSSs to whom the hearing notices have been issued nor from the First Appellate Authority in the office of the Asstt. Director, FCS&CA, Hailakandi on the latest position of the case, therefore not been ascertained.

The RTI Application had been submitted to the Asstt. Director, FCS&CA, Hailakandi, who had transferred the same u/s 6(3) of the RTI Act, 2005 to 6 (six) GPSSs in the district. On not receiving the complete information, the Applicant had submitted First Appeal to the Asstt. Director, FCS&CA. However, there is no record of the disposal of the First Appeal by the FAA.

Considering that the Application had been submitted to the Asstt. Director, FCS&CA, Hailakandi, it would be his responsibility to obtain the information from the GPSSs under his jurisdiction and provide the information centrally to the Applicant. It is therefore, hereby ordered that the SPIO in the office of the Asstt. Director, FCS&CA, Hailakandi will provide the information sought for by the RTI Applicant free of cost within a period of 10 (ten) days from the date of receipt of this order.

The Commission is of the view that the SPIO in the office of the Asstt. Director, FCS&CA, Hailakandi has failed in his responsibility to provide the information to the Applicant within the time frame stipulated by the RTI Act, 2005, as also the FAA in the same office to consider and dispose of the First Appeal within the time frame stipulated by the said Act. The SPIO in the office of the Asstt. Director, FCS&CA is hereby directed to submit an explanation to the Commission within a period 15 days from the date of receipt of this order explaining as to why penalty u/s 20(1) shall not be imposed on him for failing to provide information sought for by the RTI Applicant within the stipulated period of 30 days of receipt of the RTI Application.

Fix the next date of hearing with at least 21 days' notice.

Sd/-
Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. HLK.16/2014/

Dtd. 30.11.2015

Copy to:

1. The Assistant Director, Food, Civil Supplies & CA, Hailakandi, dist. Hailakandi, Assam, PIN- for information and necessary action.
2. Shri Ram Narayan Naidu, Vill- & PO- Kanchanpur Pt. III., Dist. Hailakandi, Assam, PIN- 788 152 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission