

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

Case No. : BPT. 16/2014
Complainant/ Appellant : Sri Pankaj Kumar Kalita
Respondent : SPIO, O/o BEEO COM BMC Bhawanipur Block Howly,
Barpeta
Date of hearing : 15.12.2015
Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R
15.12.2015

Both the SPIO and the Appellant absent without any information.

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

19.11.13 RTI Application filed with BEEO COM BMC, Bhawanipur Block Howly,
Barpeta
24.12.13 First Appeal filed with Additional D.C. (Edu), District Mission
Co-ordinator, SSA, Barpeta
16.01.14 Information furnished to the Petitioner by BMC, Bhawanipur Block,
Howly, Barpeta
12.02. 14 Second Appeal filed before the Commission.

It has been submitted in the Second Appeal that the Petitioner was not satisfied with the information he has received from the SPIO.

No written submission has been received from the SPIO in response to the Commission's hearing notice no. SIC/BPT.16/2014/47 dated 26.11.2015. No report also received from the First Appellate Authority / Additional D.C. (Edu), District Mission Co-ordinator, SSA, Barpeta on the steps he/ she might have taken to dispose of the First Appeal of the Petitioner dated 24.12.2013 in time in accordance with the provisions of RTI Act, 2005.

No evidence has been received in the Commission regarding disposal of the First Appeal by the FAA.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall re-scrutinize with reference to Petition/Application dated 19.11.2013 the information that have been furnished to him on dated 16.01.2014 and furnish the remaining information, free of cost to the Petitioner within a period of 10 days of receipt of this order.

It is also ordered that the SPIO shall submit an explanation to the Commission within 15 days 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 Commission further orders that the First Appellate Authority/ Additional D.C. (Edu), District Mission Co-ordinator, SSA, Barpeta shall consider and dispose of with a speaking order the First Appeal of the Petitioner dated 24.12.2013 within 21 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 BEEO COM BMC Bhawanipur Block Howly, Barpeta Pin- 781352(Assam) for information and necessary action.
2. The First Appellate Authority in the Office Additional D.C. (Edu), District Mission Coordinator, SSA, Barpeta, Pin- 781301 for information and necessary action.
3. Sri Pankaj Kumar Kalita, Vill- Tapa, PO- Sarutapa, Dist- Barpeta, Pin- 781352 (Assam) for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission