



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

Case No. : GLP.6/2014
Complainant/ Appellant : Md. Anowar Hussain
Respondent : SPIO, O/o C.E.O, Zilla Parishad, Goalpara
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

The Appellant present

Sri Ram Prasad Saikia, i/c APO, Goalpara Zilla Parishad present.

A perusal of the case records indicates the following sequence of significant dates:

22.11.13 RTI Application filed with C.E.O, Zilla Parishad, Goalpara.
26.12.12 First Appeal filed with C.E.O, Zilla Parishad, Goalpara
10.02.14 Second Appeal filed before the Commission.

The Appellant submitted that he has not received the information he had sought for.

Perused the Written Statement dated 14.12.2015 submitted by the C.E.O, Goalpara Zilla Parishad, Goalpara. It appears that there is confusion as to the position of SPIO and First Appellate Authority in Goalpara Zilla Parishad, Goalpara. Signing as SPIO, The CEO, Goalpara Zilla Parishad has submitted that he had summoned the Petitioner on 18.07.2015 and on 18.08.2015 for hearing of his First Appeal and that he (the Petitioner) failed to appear for the hearing, consequent upon which the case was 'disposed'.

There is no mention of furnishing of the information to the Petitioner. There is also no 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.

In view of the facts brought out above, the Commission hereby orders that the SPIO in the office of the Goalpara Zilla Parishad, Goalpara shall furnish the information sought for by the Petitioner within 10 days of receipt of this order. It also orders that the SPIO will submit an explanation to the Commission within 15 days of receipt of this order 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.

Another hearing may be taken, if necessary, on receipt or otherwise of the explanation from the SPIO.

The Commission further orders that the CEO, Goalpara Zilla Parishad, Goalpara as First Appellate Authority will consider and dispose of the First Appeal of the Petitioner dated 26.12.2013 with a speaking order within a period of 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, Office of the C.E.O, Zilla Parishad, Goalpara /Dist-Goalpara, PS- baladmari, Pin- 783101 (Assam) for information and necessary action.
2. The First Appellate Authority in the Office C.E.O, Zilla Parishad, PO/Dist-Goalpara, PS- baladmari, Pin- 783101 for information and necessary action.
3. Md. Anowar Hussain, S/o Hazrat Ali, Vill- Nalbari, PO- Kharmuja, PS- Baguan, Dist- Goalpara, Pin- 783129 (Assam)for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission