

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

Case No. : MRN.3/2014
Complainant/ Appellant : Md. Ashraful Alam
Respondent : i) SPIO, O/o the Secretary, Tinsukia Mahmara Gaon Panchayat,
Morigaon
ii) SPIO, O/o the Block Development Officer, Laharighat
Development Block, Morigaon
Date of hearing : 21.12.2015
Complaint/ Second Appeal Heard by : Shri Pinuel Basumatary, IA&AS (Retd), State Information
Commissioner, Assam

O R D E R
21.12.2015

Both parties are absent without any information.

No Written Statement received from the SPIOs, O/o the Secretary, Tinsukia Mahmara Gaon Panchayat, Morigaon and O/o the Block Development Officer, Laharighat Development Block, Morigaon.

No W/S has been received from the B.D.O, Laharighat Development Block, Morigaon as the First Appellate Authority to apprise the Commission about the steps he/she may have taken to dispose of the First Appeal in time.

A perusal of the case records indicate the following significant dates:

16.09.2013 Two RTI Applications filed with SPIO O/o the Secretary, Tinsukia Mahmara G.P, Morigaon and the SPIO, O/o the BDO, Laharighat Development Block, Morigaon
29.10.2013 First Appeal in both cases filed with the BDO, Laharighat Development Block, Morigaon
06.12.2013 Second Appeal filed before the Commission.

As the Appellant is absent and has not submitted any W/S, the Commission is not in a position to determine whether he had received the information he had sought for after the date of submission of his Second Appeal dated 06.12.2013.

However, based on his Second Appeal and case records, the Commission hereby orders that the Respondents i). SPIO, O/o the Secretary, Tinsukia Mahmara G.P, Morigaon ii) SPIO, O/o the Block Development Officer, Laharighat Development Block, Morigaon shall furnish the information to the Appellant/Petitioner, if not already done, within a period of 15 days from the date of receipt of this order, free of cost.

The Commission further orders that the above two respondents shall submit an explanation to the Commission within 15 days from the date of receipt of this order as to why penalty shall not be imposed on them Under Section 20 (1) of the RTI Act, 2005 for their failure to furnish the information to the Appellant within the stipulated period of 30 days.

On receipt of the said Application, another date of hearing may be fixed, if necessary.

Further, the Commission orders that the Block Development Officer, Laharighat Development Block, Morigaon as the First Appellate Authority will consider and dispose of, with a speaking order, the two First Appeals both dated 29.10.2013 within a period of 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 First Appellate Authority/Block Development Officer, Laharighat Development Block, Morigaon, Assam, Pin- 782127 for information and necessary action.
2. The SPIO in the office of the Secretary, Tinsukia Mahmara Gaon Panchayat, Morigaon, Assam, Pin- 782127 for information and necessary action.
3. The SPIO in the office of the Block Development Officer, Laharighat Development Block, Morigaon, Assam, Pin- 782127 for information and necessary action.
4. Md. Ashraful Alom, Vill- Mahmari Pathar, PO- Tengaguri, PS- Laharighat, Dist- Morigaon, Assam, Pin- 782127 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Secretary & Registrar
Assam State Information Commission