



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

Case No. : NGN.30/2013
Appellant : Sri Rias Uddin.
Respondent : The SPIO, O/o the D. C., Nagaon, Assam
Date of hearing : 08.01.2016
Second Appeal heard by : Shri Pinuel Basumatary
State Information Commissioner, Assam

O R D E R
08.01.2016

Both parties absent.

However, a Written Statement dated 05.01.2016 has been received from the PIO in the office of the Deputy Commissioner, Nagaon.

Perused the W/S. It has been submitted that the required information has been furnished to the Appellant/Applicant through a letter dated 02.01.2016. A copy of the same containing an acknowledgment of receipt there on by the Appellant has been submitted.

The Second Appeal Petition is therefore, disposed of.

The disposal of the Second Appeal Petition notwithstanding, the Commission makes the following observations:

- I) The SPIO in the office of the D.C., Nagaon wrongly transferred the RTI Application to another Branch of the same office, i.e. the office of the D.C. Nagaon under Section 6 (3) of the RTI Act, 2005, instead of seeking information from the concerned officer under Section 5 (4) of the said Act.
- II) The SPIO has failed to provide the information within the stipulated period of 30 days time. The information was furnished to the RTI Application after over 3 years of inordinate delay through a letter dated 02.01.2016.
- III) No evidence has been submitted to the Commission of the Additional D.C. (Land Acquisition Branch), having taken any action for furnishing the information under the RTI Act, 2005, after it was transferred to him, albeit wrongly.
- IV) The SPIO is hereby directed to comply with the provisions of the said Act promptly and correctly.

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 D.C., Nagaon, Dist.- Nagaon, Assam, Pin- 782001 for information and necessary action.
2. The First Appellate Authority/D.C., Nagaon, Dist. - Nagaon, Assam, Pin- 782001 for information.
3. Sri Rias Uddin, S/o- Lt. Anis Uddin, South Haiborgaon, Bhuyanpatty, Ward No.- 6, P.O.- Haiborgaon, Dist- Nagaon, Assam, for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission