



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

Case No. : CCR.172/2012
Complainant/ Appellant : Sri Selim Uddin Choudhury.
Respondent : The SPIO, O/o the Deputy Commissioner,
Cachar, Silchar, Assam
Date of hearing : 07.01.2016
Complaint/ Second Appeal heard by : Shri Pinuel Basumatary, IA&AS (Retd),
State Information Commissioner, Assam

O R D E R
07.01.2016

The Complainant present.

The SPIO, Office of the D.C., Cachar is neither present nor has he submitted a Written Statement on the action taken to furnish the information sought for by the Complainant dated 13/2/2012.

Case records indicate that some information had been furnished by the SPIO to the Complainant through letter no. CDP(Plan)26/2007-08/113 dated 2/7/2012. Thus, the information sought for was not supplied within the stipulated period of 30 days of receipt of the Application. The SPIO has not submitted an explanation to the Commission in compliance with the direction given by the Commission through its hearing notice dated 18/12/2015 as to why penalty shall 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.

No evidence has been received in the Commission of the First Appellate Authority (FAA)/D.C., Cachar having disposed of the First Appeal dated 19/5/2012 submitted by the Complainant. Through the said hearing notice of 18/12/2015, the FAA was asked to apprise the Commission about the steps he had taken to dispose of the First Appeal in time by a Written Submission/or by deputing his authorized representative on the date of hearing. This direction of the Commission has not been complied with.

The Complaint of the RTI Applicant submitted to the Commission on 18/8/2012 is that wrong and incomplete reply has been submitted to him with regard to his Application.

The Complainant has personally submitted today that although he had received some of the information, he was yet to receive the information on four of the items of his Application, namely item no. 2,3,10 & 11.

After a careful consideration of the facts as brought out above, the Commission hereby orders as follows –

(1) The SPIO shall provide the remaining information as cited above to the Applicant, free of cost, within a period of 10 days of receipt of this order. Should part of the wanting information be not feasible the same should be explained to the Applicant in writing within the same period of time.

(2) FAA/D.C., Cachar shall consider and disposed of, with a speaking order, the

First Appeal dated 19/5/2012 submitted by the Complainant/Applicant, within a period of 21 days of receipt of this order.

The Complaint Petition is hereby disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. CCR.172/2012 -A

Dtd. 07.01.2016

Copy to:

1. The SPIO, Office of the Deputy Commissioner, Cachar, Silchar, Dist- Cachar, Assam for information.
2. The First Appellate Authority/Deputy Commissioner, Cachar, Dist- Silchar, Assam for information.
3. Sri Selim Uddin Choudhury, Vill- Karaikandi, Pt-II, P.O.- Rajartilla, Dist- Cachar, Assam, Pin- 788805 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission