

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

Case No. : CCR.194/2012
Appellant : Md. Mohi Uddin Laskar
Respondent : SPIO/Secretary, Bhuban Hill Gaon Panchayat, Cachar.
Date of hearing : 18.01.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
18.01.2016

Both parties absent without information.

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

12.02.2012 RTI Application filed with the Secretary Bhuban Hill Gaon Panchayat, Cachar.
21.06.2012 First Appeal filed with BDO, Palonghat Development Block, Cachar.
06.09.2012 Second Appeal filed with the Commission

No written statement has been received from the SPIO. The SPIO also has not submitted any explanation 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. Through its notice dated 29.12.2015, the BDO, Palonghat Development Block, Cachar as First Appellate Authority had been ask to apprise the Commission about the steps he had taken, if any, to dispose of the First Appeal in time or to depute an authorized representative to the hearing.

The BDO, Palonghat Development Block, Cachar has not complied with this direction from the Commission.

In the absence of the SPIO and written statements from him and the First Appellate Authority, and also the absence of the Appellant, the Commission could not determine the latest position relating to furnishing of the information sought for by the Applicant/ Appellant.

Considering the abovementioned position, the Commission hereby orders that the SPIO/ Secretary, Bhuban Hill Gaon Panchayat, Cachar shall furnish, if already not done, the information sought for by the Applicant/ Appellant to him, free of cost, within a period of 10 days of receipt of this order.

The BDO, Palonghat Development Block, Cachar being the FAA shall consider and dispose of the First Appeal filed by the Applicant/ Appellant dated 21.06.2012 within a period of 15 days of receipt of this order.

The Commission, further orders that the SPIO/Secretary, Bhuban Hill Gaon Panchayat, Cachar shall submit an explanation 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, within 15 days 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 Bhuban Hill Gaon Panchayat, Cachar, PO- Bhuban Valley, Dist- Cachar, Assam, Pin- 788099 for information and necessary action.
2. The BDO, Palonghat Development Block, PO- Palonghat, Dist- Cachar, Assam, Pin- 788116 for information and necessary action.
3. Md. Mohi Uddin Laskar, Vill- Ganganagar pt-I, P.O.- Ganganagar, PS- Kachudarm, Dist- Cachar, Assam, Pin- 788099 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission