



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

Case No. : SIC/NGN.58/2014  
Complainant : Md. Siddiquir Rahman.  
Respondent : The SPIO, O/o the Director, Social Welfare, Assam  
Date of hearing : 21.01.2016  
Complaint heard by : Shri Pinuel Basumatary  
State Information Commissioner, Assam

**O R D E R**

21.01.2016

Sri Mukunda Sarma, Deputy Director, Social Welfare, Assam present for the SPIO/Joint Director, Social Welfare, Assam. He has also submitted a Written Statement dated 13/1/2016.

The Complainant present.

From the case records it is found that the Second Appeal dated 20/10/2014 was heard by Commission on 8/4/2015. The Commission's order was that if the information was available with the Directorate, the latter will provide it to the Appellant within 30 days from the date of the order, and if not, the relevant portion of the RTI Petition will be transferred to the appropriate authorities within 5 days from the date of the order. It was further ordered that if the information was not available, either fully or in part, then the SPIO will inform about the absence of the required information within 15 days from the date of the order.

Through his letter dated 6/5/2015, the Appellant submitted the Complaint to the Commission that the SPIO had failed to furnish the information in terms of the aforementioned order of the Commission.

Perused the W/S submitted by the SPIO. It has been submitted that the documents relating to the instant case could not be located, and that the copy of the Application as received from the Commission through its hearing notice dated 7/1/2016 has been forwarded to the District Social Welfare Officers of the State and to the Programme Officer (II) on 12/1/2016 for submission of the requisite information. Through the W/S, it has also been requested not to impose the penalty for delay in furnishing of information.

In view of the facts stated above, the Commission observes that the Directorate of Social Welfare, Assam does not have a system in place for taking timely action on RTI matters and of monitoring the same as mandated by the RTI Act, 2005.

The Commission hereby orders that the SPIO shall ensure collection of the information from its custodians and furnish it to the RTI Applicant, free of cost, within 15 days of receipt of this order.

Although the RTI Applicant had submitted his First Appeal dated 8/7/2014, to the Commissioner and Secretary, Social Welfare Department, Govt. of Assam, it appears from the Deptt's letter no. SWD.264/2014/57 dated 20/4/2015 received in the

Commission that the Director, Social Welfare, Assam is the First Appellate Authority in the matter. Accordingly, the Commission hereby orders that the Director of Social Welfare, Assam as First Appellate Authority shall consider and dispose of the First Appeal filed by Md. Siddiqur Rahman, with a speaking order, within a period of 21 days of receipt of this order.

With this, the Complaint case is disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar  
Assam State Information Commission

Memo No. SIC/NGN.58/2014 -A

Dtd.21.01.2016

Copy to:

1. The SPIO, Office of the Director, Social Welfare, Assam, Uzanbazar, Guwahati, Pin- 781001 for information and necessary action.
2. The First Appellate Authority/ Director, Social Welfare, Assam, Uzanbazar, Guwahati, Pin- 781001 for information and necessary action.
3. Md. Siddiqur Rahman, Vill- Fakuli Pather, P.O.- Fakuli Pather, P.S.- Juria, Dist- Nagaon, Assam, Pin- 782124 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar  
Assam State Information Commission