



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

Case No. : SIC/HLK.5/2015  
Appellant : Md. Abul Hussain Barbhuiya  
Respondent : The SPIO, O/o the Child Development Project Officer  
(CDPO), ICDS, Hailakandi.  
Date of hearing : 27.01.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
27.01.2016

Both parties absent without information.

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

13.10.2014 RTI Application filed with the CDPO, Hailakandi.  
01.12.2014 First Appeal filed with District Social Welfare Officer (DSWO),  
Hailakandi  
06.01.2015 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 hearing notice dated 05.01.2016, the DSWO, Hailakandi as First Appellate Authority (FAA) had been asked 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 DSWO, Hailakandi has not complied with this direction from the Commission.

In the absence of the SPIO and Written Statements from him and the FAA, 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 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 Commission further orders that the SPIO shall submit an explanation to the Commission 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.

The DSWO, Hailakandi being the FAA shall consider and dispose of the First Appeal dated 01.12.2014 filed by the Applicant/ Appellant, with a speaking order, within a period of 21 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 Child Development Project Officer, Hailakandi ICDS, PO- Hailakandi, Dist- Hailakandi, Assam for information and necessary action.
2. The First Appellate Authority/District Social Welfare Officer, Hailakandi, PO- Hailakandi, Dist- Hailakandi, Assam for information and necessary action.
3. Md. Abul Hussain Barbhuiyan, S/o- Kasim Ali Barbhuiyan, Vill- Bahadurpur, P.O.- Rangauti, Dist- Hailakandi, Assam, Pin- 788155 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar  
Assam State Information Commission