



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

Case No. : SIC/HLK.17/2015
Appellant : Sri Partha Kumar Nath
Respondent : The SPIO, O/o the Superintendent of Handloom & Textiles
(H & T), Hailakandi.
Date of hearing : 28.01.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
28.01.2016

The Petitioner present.

The SPIO in the office of the Superintendent of H & T, Hailakandi absent without information.

No Written Statement has been received from the SPIO.

Perused the case records. It is seen that a copy of the letter dated 21.01.2016 from the Joint Director/SPIO in the Directorate of H & T, Assam has been received in the Commission.

It is seen that through the said letter the Superintendent, H & T, Hailakandi was requested by the Directorate to attend today's hearing with all the relevant documents/records and apprise the Commission. The Superintendent, H & T, Hailakandi has not complied with the order of his/her superior authority.

The Appellant has submitted that he had received the information relating to only 1 (one) item, namely Sl. no. 3, of the 7 (seven) items listed in his RTI Application dated 04.03.2014.

Case records indicate that the APIO, office of the Superintendent, H & T, Hailakandi had written to all Chairman/Secretary of Primary Weaving Cooperative Societies of Hailakandi District as respective PIOs requesting them to furnish, to the RTI Applicant, the remaining information sought for by him. The Appellant submitted that in response 4 of the 93 Societies wrote to him requesting him to deposit the cost of photocopying. He added that he then wrote back to the said Societies enquiring as to the mode of payment to be made and that one of his letters returned to him undelivered with the comment 'not known' by the postal department dated 18.07.2014 with no response from the other three.

It is seen from the facts mentioned above that the SPIO in the office of the Superintendent, H & T, Hailakandi has failed to take timely and effective action to obtain all the information and furnish the same to the RTI Applicant in accordance with the provisions of the RTI Act, 2005.

It is also seen that as First Appellate Authority (FAA)/Superintendent, H & T, Hailakandi has not only not sent a report of the action taken to dispose of the First Appeal dated 23.05.2014 of the Appellant but has also not deputed his authorized representative to today's hearing.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall obtain the remaining information as sought for by the Appellant and furnish it to him, free of cost, within a period of 15 days from the date of receipt of this order.

It is also ordered that the SPIO shall submit a written explanation to the Commission, within 15 days of receipt of this order, 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.

The Commission further orders that the Superintendent of Handloom & Textiles, Hailakandi shall consider and dispose of, in the capacity of FAA, the First Appeal dated 23.05.2014, with a speaking order, within a period of 21 days from the date of receipt of this order.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. SIC/HLK.17/2015 -A

Dtd. 28.01.2016

Copy to:

1. The SPIO in the Office of the Superintendent of Handloom & Textiles, Hailakandi, PO-Hailakandi, Dist- Hailakandi, Assam for information and necessary action.
2. The First Appellate Authority/Superintendent of Handloom & Textiles, Hailakandi, PO-Hailakandi, Dist- Hailakandi, Assam for information and necessary action.
3. Sri Partha Kumar Nath, Ward no. 1, Hailakandi Ayachack Pally, Hailakandi Town PO-Hailakandi, Dist- Hailakandi, Assam, Pin- for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission