

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

Case No. : SIC/NGN.59/2013  
Appellant : Md. Anowar Hussain  
Respondent : The SPIO, O/o the Child Development Project Officer,  
(CDPO), Rupahi ICDS Project, Nagaon  
Date of hearing : 09.02.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
09.02.2016

Neither party present. No Written Statement has been received from the SPIO.

Perusal of the case records indicate that the Applicant/Appellant had submitted his RTI Application dated 6/6/2013 to the District Social Welfare Officer (DSWO), Nagaon and that the latter forwarded through a letter dated 25/6/2013 the same to the CDPO, Rupahi ICDS Project as the information sought for related to that project.

The SPIO/CDPO, Rupahi ICDS Project has not submitted any Written Statement on the status of furnishing of information which was sought for by the Commission through its hearing notice dated 27/1/2016. The SPIO has also 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.

First Appeal dated 18/7/2013 was submitted by the Appellant to the DSWO, Nagaon. As First Appellate Authority (FAA), the DSWO, Nagaon has not apprised the Commission about the steps he had taken to dispose of the First Appeal either by a Written Submission/or by deputing his authorized representative to the hearing which he was directed to do through the said hearing notice of the Commission.

The Appellant has not apprised the Commission as to whether he has received the information he had sought for subsequent to the filing of his Second Appeal Petition dated 21/8/2013.

In view of the facts brought out above, the Commission hereby orders the following –

1. The SPIO shall furnish the information sought for by the RTI Applicant/Appellant, free of cost, within a period of 10 days of receipt of this order, if already not done.
2. The SPIO shall submit an explanation to the Commission, within a period of 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.
3. The FAA shall hear the First Appeal dated 18/07/2013 by the Appellant and pass an appropriate speaking order in compliance with the relevant provisions of the RTI Act, 2005, within a period of 21 days of receipt of this order.

Sd/-  
Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Dy. Secretary & Dy. Registrar  
Assam State Information Commission

Copy to:

1. The SPIO, Office of the Child Development Project Officer (CDPO), Rupahi ICDS Project, Samaguri, P.O.- Samaguri, Dist- Nagaon, Assam, Pin- 782140 for information and necessary action.
2. The First Appellate Authority/District Social Welfare Officer (DSWO), Nagaon District, P.O.- Nagaon, Dist- Nagaon, Assam, Pin- 782125 for information and necessary action.
3. Md. Anowar Hussain, S/o- Miraj Ali, Vill- Rupahi, Pachim Bhakatgaon, P.O.- Rupahi, Dist- Nagaon, Assam, Pin- 782125 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Secretary & Dy. Registrar  
Assam State Information Commission