

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

Case No. : SIC/NGN.80/2011
Appellant : Moulana Md. Akil Khan
Respondent : The SPIO, O/o the Executive Engineer, PWD, 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.

The Appellant had filed the Second Appeal dated 7/8/2012 stating that he had not received the information he had sought for through his RTI Application dated 25/7/2011.

The SPIO, office of the Executive Engineer, PWD, Nagaon 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.

The First Appellate Authority (FAA)/Executive Engineer, PWD, 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 7/8/2012.

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.
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 19/09/2011 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 Executive Engineer, PWD, Nagaon District, P.O.- Nagaon, Dist- Nagaon, Assam, Pin- 782001 for information and necessary action.
2. The First Appellate Authority/ Executive Engineer, PWD, Nagaon District, P.O.- Nagaon, Dist- Nagaon, Assam, Pin- 782001 for information and necessary action.
3. Moulana Md. Akil Khan, S/o- Md. Abdul Mannan Khan, Vill- Chakitup, Natun Basti, P.O.- Chottahaibor, Dist- Nagaon, Assam, Pin- 782003 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Secretary & Dy. Registrar
Assam State Information Commission