



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

Case No. : SIC/CCR.34/2013
Appellant : Sri Mahesh Deb.
Respondent : The SPIO, O/o the Inspector of Schools, Cachar District Circle (CDC), Silchar
Date of hearing : 08.02.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
08.02.2016

The SPIO, office of the Inspector of Schools, Cachar District Circle, Silchar absent without information. No Written Statement received which was sought through the Commission's hearing notice no. SIC/CCR/34/2013/6 dated 29/1/2016. 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 Appellant has sent an apology dated 6/2/2016. It is seen from the Appellant's letter that he is yet to receive the information he had sought for.

The First Appellate Authority (FAA)/Inspector of Schools, Cachar District Circle 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 aforementioned hearing notice of the Commission.

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

- 14.12.2012 RTI Application filed with the SPIO, office of the Inspector of Schools, CDC, Silchar.
- 21.01.2013 First Appeal filed with the D.C., Cachar
- 24.01.2013 Forwarded the RTI Application to Inspector of Schools, CDC, Silchar
- 22.02.2013 Second Appeal filed with the Commission.

As the issue of providing the information to the Applicant under the RTI Act, 2005 is a fairly straightforward matter, the Commission has decided to go ahead with the hearing *ex parte*.

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.

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 not already 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 21.01.2013 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

Memo No. SIC/CCR.34/2013 -A

Dtd. 08.02.2016

Copy to:

1. The SPIO, Office of the Inspector of Schools, Cachar District Circle, PO- Silchar, Dist- Cachar, Assam, Pin- 788001 for information and necessary action.
2. The First Appellate Authority/Inspector of Schools, Cachar District Circle, PO-Silchar, Dist- Cachar, Assam, Pin- 788001 for information and necessary action.
3. Sri Mahesh deb, Vill- Tulargram, Part- 1, PO- Sonaimukh, Dist- Cachar, Assam, Pin- 788119 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Secretary & Dy. Registrar
Assam State Information Commission