



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

Case No. : SIC/HLK.2/2015
Appellant : Md. Abul Hussain Laskar.
Respondent : The SPIO, O/o the Block Development Officer, Hailakandi
Development Block, Hailakandi.
Date of hearing : 05.02.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
05.02.2016

The SPIO, office of the BDO, Hailakandi Development Block absent without information. No Written Statement has been submitted which was sought through the Commission's hearing notice no. SIC/HLK/2/2015/5 dated 22/1/2016. 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 absent without information.

The First Appellate Authority (FAA)/PD, DRDA, Hailakandi 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:

- 05.05.2014 RTI Application filed with the SPIO, office of the BDO, Hailakandi Development Block, Hailakandi.
- 11.06.2014 First Appeal filed with PD, DRDA, Hailakandi.
- 11.08.2014 Second Appeal filed with the Commission.
- 24.06.2014 Ordered by FAA.

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*.

It is seen that the FAA/PD, DRDA, Hailakandi had heard both the SPIO and Appellant on 24/6/2014 and passed an order directing the SPIO to furnish all the information to the Applicant/Appellant as sought for within 7 days, free of cost.

In the absence of the parties from today's hearing and any Written Statement from them, the Commission could not determine whether the said order of the FAA has been complied with or whether the Appellant has received the information subsequently.

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 11/6/2014 by the Appellant once again 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/-

Secretary & Registrar
Assam State Information Commission

Memo No. SIC/HLK.2/2015 -A

Dtd. 05.02.2016

Copy to:

1. The SPIO in the Office of the Block Development Officer, Hailakandi Development Block, Hailakandi, Assam for information and necessary action.
2. The First Appellate Authority/Project Director, District Rural Development Agency, Hailakandi, Dist- Hailakandi, Assam for information and necessary action.
3. Md. Abul Hussain Laskar, S/o- Momtaj Ali Laskar, Vill- Kanchanpur-I, P.O.- Ratakandi, Dist- Hailakandi, Assam, Pin- 788152 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission