

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

Case No. : SIC/DHR.126/2012
Appellant : Md. Joydor Ali
Respondent : The SPIO, O/o the Block Elementary Education Officer (BEEO)
cum BMC, SSA, South Salmara, Dhubri
Date of hearing : 01.02.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
01.02.2016

Both parties absent without information.

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

06.02.2012 RTI Application filed with the SPIO, Office of the BEEO/BMC, SSA,
Dhubri
14.03.2012 First Appeal filed with District Mission Coordinator (DMC), SSA, Dhubri
10.06.2012 Second Appeal filed with the Commission

No Written Statement has been received from the SPIO. 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.

Through the Commission's hearing notice dated 8th January, 2016, the DMC, SSA, Dhubri as First Appellate Authority (FAA) had been asked to apprise about the steps he had taken, if any, to dispose of the First Appeal in time or to depute an authorized representative to the hearing. The DMC, SSA, Dhubri has not complied with this direction from the Commission.

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.

Considering the abovementioned position, the Commission hereby orders that the SPIO shall furnish, if already not done, the information sought for by the Applicant/Appellant to him, free of cost, within a period of 10 days of receipt of this order.

The Commission further orders that the SPIO shall submit an 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 DMC, SSA, Dhubri being the FAA shall consider and dispose of the First Appeal dated 14.03.2012 filed by the Applicant/Appellant, with a speaking order, 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**

Copy to:

1. The SPIO in the Office of the Block Elementary Education Officer cum BMC, SSA, South Salmara, PO- Hasingimari, Dist- Dhubri, Assam, Pin- 783135 for information and necessary action.
2. The First Appellate Authority/District Mission Coordinator, SSA, Dist- Dhubri, Assam, Pin- 783301 for information and necessary action.
3. Md. Joydor Ali, S/o Late Nayeb Ali, Vill- Medoli, Po- Madartari, Dist- Dhubri, Assam, Pin- 783330 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission