

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

Case No. : KP(M). 522/2013

Complainant/ appellant : Shri Dulal Bora

Respondent : Finance Department, Govt. of Assam

Date of hearing : 03. 2.2016

Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

03.2.2016

The appellant Shri Dulal Bora is present. The Public Authority to be represented by the SPIO of Finance Department is absent without information. The SPIO of Finance Department was absent without information on 13.1.16, the last date of hearing also. The Second Appeal petition dtd 5.8.13 is therefore, taken up for hearing ex-parte.

From perusal of the case records it is seen that the petitioner Shri Dulal Bora filed his RTI application dtd 12.4.13 before the Commissioner of Finance, Govt. of Assam, Dispur. The petitioner wanted information on financial assistance extended by the Govt. of Assam to the victims of serial bomb blasts that took place on 30th October, 2008 along with the names and addresses of the beneficiaries. The Deputy Secretary to the Govt. of Assam, Finance (Estt. B) Department has sent a copy of his letter dtd 30.1.16 addressed to Shri Ranjan Chakraborty, Deputy Secretary to the Govt. of Assam, Finance (EC-II) Department requesting him to attend today's hearing of the Commission.

From perusal of the case records it appears that no information has been furnished by the concerned SPIO of Finance Department to the petitioner. Nor is there any record of transfer of the RTI application to any other public authority within the stipulated time period. It therefore appears to be a clear case of violation of the provision of RTI Act by the concerned SPIO of Finance Department.

It is seen that the petitioner had filed First Appeal petition dtd 17.6.13 before the Commissioner of Finance. But there is nothing on records to show that the First Appellate Authority heard and disposed of the First Appeal petition.

In view of the above, the Commission directs the concerned SPIO of Finance Department to show cause within 30 days from the date of receipt of this order, as to why penalty u/s 20 shall not be imposed on him under relevant provision of the RTI

Act, 2005 for his failure to furnish the required information to the petitioner within the stipulated time.

Serve the show cause notice through the Commissioner & Secretary to the Govt. of Assam Finance (Estt-B) Department, Shri Srimanta Thakuria, IAS.

The Commission further directs the First Appellate Authority of Finance Department to hear and dispose of the First Appeal petition within 15 days from the date of receipt of this order.

Send copy of this order also to the Commissioner of Finance (Estt-B) Department for necessary action by the First appellate Authority.

Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. KP(M).522 /2013/

Dtd. 03.2.2016

Copy to:

1. The Commission & Secretary to the Govt. of Assam, Finance (Estt-B) Department, Dispur, Guwahati-6 for information and necessary action.
2. The First Appellate Authority of Finance Department, Dispur, Guwahati-6 for information and necessary action.
3. The SPIO of Finance Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
4. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Secretary & Registrar
Assam State Information Commission