



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

Case No. : SIC/CCR.24/2013  
Appellant : Md. Mansoor Hassan Barbhuyan.  
Respondent : The SPIO/Secretary, Rongpur Gaon Panchayat,  
Silchar, Cachar.  
Date of hearing : 24.02.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
24.02.2016

Neither party present. However, a Written Statement dated 15.02.2016 has been received from the Secretary, Rongpur Gaon Panchayat, Cachar.

Perused the abovementioned W/S. It has been submitted that the current incumbent could not locate any record relating to the instant RTI Application in his office, inspite of having contacted his predecessor about the case, and he be exempted from any penalty under the RTI Act, 2005. The SPIO has however not indicated any plan of action or time frame for tracing out the case records and of providing information sought for by the Applicant/Appellant.

In the absence of the Appellant in today's hearing and any written communication from him, the Commission could not determine as to whether he has received the information he had sought for subsequent to filling the Second Appeal dated 19.01.2013. The case records indicate that through his RTI Application dated 18.10.2012, the Appellant had sought information relating to transfer of a part of Rongpur from Silchar Municipal Board to Rongpur Gaon Panchayat and he had filed the Second Appeal after he failed to receive the information from the Secretary, Rongpur GP and response to his First Appeal dated 27.11.2012 which he had submitted to Cachar Zilla Parishad.

There is no evidence of the First Appellate Authority having disposed of the said First Appeal in accordance with the said Act.

In view of the facts brought out above, the Commission hereby orders that based on the copies of the said Second Appeal, RTI Application and First Appeal which were forwarded by the Commission through its hearing notice dated 02.02.2016, the SPIO/Secretary, Rongpur Gaon Panchayat shall provide the information sought for by the Applicant/Appellant, free of cost, within a period of 15 days of receipt of this order and the First Appellate Authority/Chief Executive Officer, Cachar Zilla Parishad shall consider and dispose of the said First Appeal, with a speaking order, within a period of 21 days of receipt of this order.

With this, the Second Appeal Petition is disposed of.

Sd/-  
Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Deputy Registrar  
Assam State Information Commission

Copy to:

1. The SPIO/Secretary, Rongpur Gaon Panchayat, Dist- Cachar, Assam, Pin- 788001 for information and necessary action.
2. The First Appellate Authority/Chief Executive Officer, Cachar Zilla Parishad, Dist- Cachar, Assam, Pin- 788001 for information and necessary action.
3. Md. Mansoor Hassan Barbhuyan, C/o- M. A. Barbhuyan (IAS, Retd.), Rongpur Part-IV, VIP Road, NH- 53, Silchar, Dist- Cachar, Assam, Pin-788009 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam State Information Commission