



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

Case No. : SIC/CCR.12/2013
Appellant : Md. Sunumia Choudhury
Respondent : The SPIO, O/o the Child Development Project Officer (CDPO),
Lakhipur ICDS Project, Cachar
Date of hearing : 16.02.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
16.02.2016

Shri Vivekananda Saha, (L.D.A.) authorized representative of Child Development Project Officer (CDPO), Lakhipur ICDS Project, Cachar is present. A Written Statement dated 15/2/2016 from the CDPO, Cachar received.

The Appellant present.

Heard the Appellant. He has reiterated that he had not received the full information and certified copies of the supporting documents.

Perused the aforementioned W/S. It is seen that the W/S contains no useful information regarding receipt of the RTI Application and furnishing of information except to mention the discrepancy in seeking a deposit of Rs. 10,258/- instead of Rs. 102/- from the RTI Applicant towards cost of photocopying. The CDPO, Cachar has gone on to state, avoidably, the need for time to furnish the information under the RTI Act, 2005 owing to unavoidable circumstances without indicating a specific action plan or time frame for furnishing the information sought for.

Heard the authorized representative of the CDPO, Cachar. He has submitted that the documents which were earlier stated to have been submitted to Directorate, Social Welfare, Assam have been received back by the CDPO, Cachar and that it would now be possible to furnish the photocopies of the documents sought for by the RTI Applicant.

The First Appellate Authority (FAA)/District Social Welfare Officer, Cachar has not apprised the Commission about the steps taken to dispose of the First Appeal dated 17/5/2013 submitted by the Appellant either by a Written Submission/or by deputing his authorized representative in today's hearing.

In view of the facts brought out above, the Commissioner hereby orders as follows: -

1. The SPIO, office of the CDPO, Cachar shall furnish the complete information along with certified copies of the documents to the Appellant as requested for by him, free of cost, within a period of 15 days of receipt of this order.
2. Given the unsatisfactory information/explanation submitted by the CDPO, Cachar regarding the actual date of receipt of the RTI Application and the actions taken to furnish the information, the SPIO, office of the CDPO, Cachar shall furnish a Written Statement detailing the relevant facts which were sought for by the Commission through its hearing notice dated 4/2/2016. The SPIO shall also submit, within a period of 18 days of receipt of this order, an 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.

3. The District Social Welfare Officer, Cachar as FAA shall consider and dispose of, with a speaking order, the First Appeal of the Appellant dated 17/5/2013, 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.12/2013/ -A

Dtd. 16.02.2016

Copy to:

1. The SPIO, Office of the Child Development Project Officer, Lakhipur ICDS Project, Cachar, P.O.- Silchar, Dist- Cachar, Assam, Pin- 788103 for information and necessary action.
2. The First Appellate Authority/District Social Welfare Officer, Cachar District, Meherpur, P.O.- Silchar, Dist- Cachar, Assam, Pin- 788015 for information and necessary action.
3. Md. Sunumia Choudhury, Vill- Baghpur Part-III, P.O.- Baghpur, Dist- Cachar, Assam, Pin- 788101 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Secretary & Dy. Registrar
Assam State Information Commission