



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

Case No. : SIC/CCR.52/2013
Appellant : Md. Faroque Ahmed Laskar
Respondent : The SPIO/Secretary, Dakshin Krishnapur G.P, Cachar
Date of hearing : 17.02.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R

17.02.2016

Neither party present. No Written Statement received.

A perusal of the case records indicate the following sequence of significant dates:

18.12.12 RTI Application filed with the Secretary, Dakshin Krishnapur G.P, Cachar
24.04.13 First Appeal filed with the BDO, Sonai Development Block, Cachar
10.06.13 Second Appeal filed before the Commission.

The SPIO has not only not made a Written Submission regarding the actual date of receipt of the RTI Application and furnishing of the information but also has not explained 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, which was asked for by the Commission through its hearing notice dated 04.02.2016.

The FAA/BDO, Sonai Development Block, Cachar has not apprised the Commission about the steps he had taken to dispose of the First Appeal dated 24.04.2013 either by a Written Submission/or by deputing his authorized representative to the hearing which he was directed to do through the said hearing notice of the Commission.

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 already not furnished.
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/BDO, Sonai Development Block, Cachar shall consider and dispose of the aforementioned First Appeal submitted by the 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/-
Dy. Secretary & Dy. Registrar
Assam State Information Commission

Copy to:

1. The SPIO/Secretary, Dakshin Krishnapur Gaon Panchayat, PO- Krishnapur, Dist- Cachar, Assam, Pin- 788025 for information and necessary action.
2. The First Appellate Authority/Block Development Officer, Sonai Development Block, PO- Sonaimukh, dist- Cachar, Assam, Pin- 788119 for information and necessary action.
3. Md. Faroque Ahmed Laskar, C/o NGO TAMSES, Vill & PO- Uttar Krishnapur, Dist- Cachar, Assam, Pin- 788006 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Secretary & Dy. Registrar
Assam State Information Commission