

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

Case No. : SIC/KMJ.30/2014
Appellant : Md. Ali Hussain
Respondent : The SPIO, O/o the Block Development Officer (BDO), South
Karimganj Development Block, Karimganj.
Date of hearing : 12.02.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
12.02.2016

Neither party present. However, a Written Statement dated 9/2/2016 has been received from the Chief Executive Officer (CEO), Karimganj Zilla Parishad who was notified by the Commission as First Appellate Authority (FAA) with a direction to apprise the Commission about the steps taken to dispose of the First Appeal.

No Written Statement has been received from the SPIO, office of the BDO, South Karimganj Development Block. No explanation has also been received from the SPIO 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 he was asked to do by the Commission through its hearing notice dated 30/1/2016.

Perused the aforementioned W/S. It has been submitted that the First Appeal of the Petitioner was transferred u/s 6 (3) of the RTI Act, 2005 to the BDO, South Karimganj Development Block on 9/9/2014. Further, it has been stated that the information sought for was not available in the office of the CEO, Karimganj Zilla Parishad but the same would be available in the concerned Development Block.

In the absence of the SPIO in today's hearing and any Written Statement from him and also any communication from the Petitioner, the Commission could not determine as to whether the information has been supplied subsequent to the date of filing of the Second Appeal.

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 not already done.
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 BDO, South Karimganj Development Block as FAA shall consider and dispose of, with a speaking order, the First Appeal of the Appellant, within a period of 21 days of receipt of this order.

A copy of First Appeal may be forwarded to FAA/BDO, South Karimganj Development Block.

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, Office of the Block Development Officer, South Karimganj Development Block, P.O.- Kaliganj, Dist- Karimganj, Assam, Pin- 788720 for information and necessary action.
2. The First Appellate Authority/Block Development Officer, South Karimganj Development Block, P.O.- Kaliganj, Dist- Karimganj, Assam, Pin- 788720 for information and necessary action.
3. The Chief Executive Officer, Karimganj Zilla Parishad, Karimganj, P.O. & Dist- Karimganj, Assam, Pin- 788710 for information.
4. Md. Ali Hussain, S/o- Abdul Rakib, Vill- Baleswar, P.O.- Kaliganj Bazar, Dist- Karimganj, Assam, Pin- 788720 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Dy. Secretary & Dy. Registrar
Assam State Information Commission