

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

Case No. : SIC/DHR.32/2013
Appellant : Md. Riazul Hoque.
Respondent : The SPIO, O/o the Block Elementary Education
Officer (BEEO), Mankachar, Dhubri
Date of hearing : 02.03.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
02.03.2016

Neither party present. No Written Statements received from any party.

The SPIO has not submitted any Written Statement on the status of furnishing of information which was sought for by the Commission through its hearing notice dated 16.02.2016. The SPIO has also not submitted any 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.

Perused the case records. It is seen that the RTI Application dated 20.11.2012 was submitted to SPIO, office of the BEEO, Mankachar and First Appeal Petition dated 01.01.2013 with the S.D.O. (Civil), South Salmara, Mankachar. It is also seen that the S.D.O. (Civil) had forwarded the First Appeal to the appropriate First Appellate Authority, namely Deputy Inspector of Schools, Hatsingimari under intimation to the Appellant through a letter dated 05.01.2013. Failing to receive the information from the SPIO and response from the FAA, the Appellant submitted his Second Appeal dated 16.03.2013.

However, considering that the matter has been pending for some time, the Commission has decided to go ahead with the hearing on this appointed day *ex parte*.

In the absence of the parties and any written communication from them, the Commission could not determine the latest position about the furnishing/receipt of the information.

In view of the facts brought out above, the Commission hereby orders the following –

1. The SPIO shall furnish the information as sought for by the 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 a written explanation to this Commission, within 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, and
3. The First Appellate Authority/Deputy Inspector of Schools, Dhubri shall consider and dispose of the First Appeal dated 01.01.2013, 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/-

Deputy Registrar
Assam Information Commission

Copy to:

1. The SPIO, office of the Block Elementary Education Officer, Mankachar Educational Block, PO- Mankachar, Dist-Dhubri, Assam, Pin- 783131 for information and necessary action.
2. The First Appellate Authority/Deputy Inspector of Schools, Hatsingimari, Dhubri, PO- Dhubri, Dist-Dhubri, Assam, Pin- 783135 for information and necessary action.
3. Md. Riazul Hoque, C/o- Abdul Rohim Sarkar, Vill- Puran Sukchar, P.O.- Fulerchar, Dist-Dhubri, Assam, Pin- 783135 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission