

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

Case No. : SIC/KMJ.33/2014
Appellant : Md. Abdur Rahman
Respondent : The SPIO/Secretary, Bariagram G.P, Karimganj
Date of hearing : 29.02.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R

29.02.2016

The SPIO/Secretary, Bariagram GP present with a Written Statement.

The Appellant absent without any information.

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

- 01.08.14 RTI Application filed with the SPIO/Secretary, Bariagram G.P, Bariagram, Karimganj
- 08.09.14 First Appeal filed with the B.D.O., Patherkandi Development Block, Karimganj
- 11.11.14 Second Appeal filed before the Commission.

Perused the aforementioned W/S dated 26.02.2016. It has been submitted that the information could not be furnished earlier the SPIO not being able to cope with official work there being no staff in his office. It has further been submitted that the RTI Applicant has now been requested, through a letter dated 25.02.2016, a copy of which has been submitted, to collect the available information from his office on any working day as available.

Heard the SPIO/Secretary, Bariagram GP. He has assured that he would supply all the information to the Appellant/Applicant available with him.

There is no evidence of the First Appellate Authority (FAA)/B.D.O. Patherkandi Development Block, Karimganj having disposed of the First Appeal dated 08.09.2014 in accordance with the RTI Act, 2005. Further, the FAA has not apprised this Commission about the steps he may have taken to dispose of the said First Appeal in time either by a W/S or through his/her representative in today's hearing.

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, and request the Appellant/Applicant to visit the office and inspect those records which are too voluminous to be photocopied and whose photocopying is likely to make a disproportionate demand on the resources of the GP office. Further, while forwarding the information, the SPIO shall specify the information which may not be available in his office and explain the reason thereof, within a period of 10 days of receipt of this order
2. The First Appellate Authority/B.D.O., Patherkandi Development Block, Karimganj shall consider and dispose of the aforementioned 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, Baraigram Gaon Panchayat, PO- Baraingram, Dist- Karimganj, Assam, Pin- 788723 for information and necessary action.
2. The First Appellate Authority/Block Development Officer, Patherkandi Development Block, PO- Patherkandi, Dist- Karimganj , Assam, Pin- 788724 for information and necessary action.
3. Md. Abdur Rahman, S/o Khalid Ahmed, Vill- Binadini, PO- Eraligool, PS- Patherkandi, Dist- Karimganj, Pin- 788723 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam State Information Commission