

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

Case No. : SIC/DHR.20/2013
Appellant : Md. Sebarat Khan
Respondent : The SPIO, O/o the B.D.O., Jamadarhat Development
Block, Chirakuti, Dhubri
Date of hearing : 07.03.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R

07.03.2016

Neither party present. However, a Written Statement dated 05.03.2016 received from the First Appellate Authority (FAA)/PD, DRDA, Dhubri.

The Second Appeal dated 04.06.2013 was submitted by the Appellant on the ground that the SPIO had furnished partial information to him although the FAA had in his order dated 17.5.2013 termed it 'complete', it was 'frivolous' in that information relating to point no. 1 only was supplied to him and excluding point no. 2 & 3.

The Appellant has not apprised the Commission which he was asked to do through hearing notice dated 25.02.2016 as to whether he had received the remaining information subsequent to the filing of the Complaint Petition. He was also given the opportunity to attend the hearing. Further, the Commission has not received a copy of the information furnished by the SPIO to the Appellant. In his acknowledgement of receipt of information dated 05.02.2013 given by the Appellant, he has not mentioned that he had not received any part of the information he had sought for. The Commission could not therefore determine the merit of the submission by the Appellant and correctness or otherwise of the assertion made in the order of the FAA on furnishing of complete information.

In view of the facts brought out above, the First Appellate Authority is directed to once again consider the First Appeal, ascertain the facts and dispose of the First Appeal, with a speaking order to facilitating access of complete information by the Appellant, within a period of 10 days of receipt of this order.

With this, the Second Appeal Petition is hereby disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/DHR.20/2013/ -A

Dtd. 07.03.2016

Copy to:

1. The SPIO, office of the Block Development Officer, Jamadarhat Development Block, Chirakuti, P.O.- Chirakuti Bazar, Dist- Dhubri, Assam, Pin- 783330 for information.
2. The First Appellate Authority/Project Director, District Rural Development Agency, P.O.- Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information and necessary action.
3. Md. Sebarat Khan, S/o Late Golap Khan, Vill- Sundarpur Part-I, P.O.- Jamadarhat, Dist- Dhubri, Assam, Pin- 783330 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission