



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

Case No. : SIC/BPT.2/2015
Appellant : Md. Sayed Ali.
Respondent : The SPIO, O/o the Chief Executive Officer, Barpeta Zilla
Parishad, Barpeta
Date of hearing : 19.04.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
19.04.2016

Md. Omar Khayyam, SPIO cum PM & EO (BRGF), Barpeta Zilla Parishad, Barpeta is present. SPIO has submitted a Written Statement dated 19.04.2016 which is taken on record.

Appellant is present.

Appellant had preferred the Second Appeal dated 24.12.2014 with the Commission being aggrieved at not receiving the information he had sought for through his RTI Petition dated 10.10.2014, and response to his First Appeal dated 20.11.2014.

Deposing before the Commission, the Appellant submitted that he was yet to receive the information he had sought for.

Perused the aforementioned W/S. It has been submitted that the information could now be provided to the Petitioner. SPIO confirmed this position in person and stated that the delay in providing the information has happened on account of the official who was the custodian of the information/documents. During the hearing, the SPIO has submitted a photocopy of the communication he had made through a letter dated 01.11.2014 to the dealing assistant (Sri Sazzat Hussain, Head Assistant).

In view of the facts brought out above, the Commission hereby orders that the information sought for by the Petitioner shall be provided by the SPIO with the assistance of the custodian of the information/documents cited above, free of cost, within a period of 10 days of receipt of this order. Should the custodian of the information/documents fail to comply with this order, he shall be liable to imposition of penalty Under Section 20 (1) of the RTI Act, 2005, as the deemed PIO.

There is no evidence of the First Appellate Authority/C.E.O., Barpeta Zilla Parishad having disposed of the First Appeal dated 20.11.2014. It is therefore ordered that the First Appellate Authority shall consider and dispose of, with a speaking order, the First Appeal 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 Information Commission

Copy to:

1. The SPIO, office of the Chief Executive Officer, Barpeta Zilla Parishad, Barpeta, P.O.- Barpeta, Dist- Barpeta, Assam, Pin- 781301 for information and necessary action.
2. The First Appellate Authority/Chief Executive Officer, Barpeta Zilla Parishad, Barpeta, P.O.- Barpeta, Dist- Barpeta, Assam, Pin- 781301 for information and necessary action.
3. Md. Sayed Ali, S/o- Late Ali Akbar, Vill- Sidhani, P.O.- Sitoli, Dist- Barpeta, Assam, Pin- 781308 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission