

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

Case No. : SIC/DHR.23/2013
Appellant : Md. Anowar Hussain.
Respondent : The SPIO, O/o the
1. BDO, Mankachar Development Block, Mankachar, Dhubri
2. BDO, Fekamari Development Block, Fekamari, Dhubri.
Date of hearing : 26.04.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
26.04.2016

The Public Authority is represented by Md. Razzaqul Haque, BDO, Mankachar Development Block and Md. Mokbul Hussain, BDO, Fekamari Development Block. Written Statements both dated 22.04.2016 have been received from BDO, Mankachar Development Block and BDO, Fekamari Development Block.

Appellant is absent without information. He has not apprised the Commission which he was asked to do through Commission's notice dated 28.03.2016 as to whether he has received the information subsequent to his filing of the Second Appeal dated 21.11.2012.

Appellant had filed the Second Appeal after he failed to receive the information he had sought for from the SPIOs to whom the Application had been transferred and not being satisfied with the order of the First Appellate Authority. In other words, he was not satisfied with the response of the SPIOs and First Appellate Authority that the information sought for were not available with them.

Perused the aforementioned Written Statements. It has been submitted that their offices were not involved in preparing the list of BPL families in 1997 as the same was prepared by the Food, Civil Supplies & Consumer Affairs Department at the Sub-Divisional level.

Heard the SPIOs. They reiterated the submissions made in writing.

Perused the case record. It is seen that the First Appellate Authority had disposed of the First Appeal dated 09.08.2012 based on the submission of the two concerned BDOs to the effect that the information sought for by the Applicant were not available with them.

The Appellant was absent in the hearing taken by the Commission on 07.03.2016 too. Although, he had been asked by the Commission through its hearing notice dated 26.02.2016, the Appellant was neither present in the said hearing nor had he apprised the Commission as to whether he had received the information he had sought for subsequent to filing of the Second Appeal.

In the absence of the Appellant from the hearing and any W/S from him, the Commission was unable to ascertain the latest position of the case. Today's hearing was fixed in order to give him another opportunity. The Appellant has however, not complied with the direction of the Commission and has denied the Commission the benefit of a report on the latest position of the case. The Commission is therefore, constrained to conclude that the Appellant is not interested anymore in the information he had sought for, and has decided to dispose of the Second Appeal.

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 Development Officer, Mankachar Development Block, P.O.- Mankachar, Dist- Dhubri, Assam, Pin-783131 for information.
2. The SPIO, Office of the Block Development Officer, Fekamari Development Block, P.O.- Fekamari, Dist- Dhubri, Assam, Pin- 783135 for information.
3. The First Appellate Authority/Sub-Divisional Officer (Civil), South Salmara, Mankachar Sub-Division, Hatsingimari, P.O.- Hatsingimari, Dist- Dhubri, Assam, Pin-783135 for information.
4. Md. Anowar Hussain (Babul), Advocate, Dhubri Bar Association, Dhubri, P.O. & P.S.- Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission