



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

Case No. : SIC/TSK.14/2013
Appellant/Complainant : Sri Dulal Bora
Respondent : The SPIO, O/o Chief Executive Officer, Zilla Parishad, Tinsukia
Date of hearing : 27.04.2016
Second Appeal/Complaint heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
27.04.2016

The petitioner and the SPIO are absent without any intimation.

However, in view of the large number of cases pending before this Commission, the matter is taken up for consideration based on record.

On perusal of the record, it appears that the Appeal petition was disposed of by this Commission vide ex parte order dated 30.04.2015 directing the “CEO, Zilla Parishad, Tinsukia to furnish the information as sought for to the petitioner within 30 days from the date of receipt of the order, free of cost, as it appears that the Public Authority failed to respond to the RTI application within the stipulated period of 30 days”.

The Petitioner had filed a Complaint petition on 12.01.2016 before the Commission that he had not received the information as directed by the Commission and as such action should be taken against the SPIO, O/o the CEO, Zilla Parishad, Tinsukia by charging a penalty of Rs. 25,000/-.

On perusal of record, it appears that with reference to the notice of the Commission dated 17.04.2015, the SPIO, O/o the CEO, Zilla Parishad, Tinsukia had informed the Commission vide letter dated 02.05.2015 that the matter relates to the PD, DRDA Tinsukia and hence, the Commission should direct the PD, DRDA, Tinsukia to furnish the information to the petitioner. However, in the meantime the order dated 30.04.2015 was already issued to the CEO, Zilla Parishad, Tinsukia.

The SPIO, O/o the CEO Zilla Parishad, Tinsukia vide letter dated 19.05.2015 with reference to order dated 30.04.2015 informed the Commission that the information sought for by the petitioner did not pertain to their office and relates to PD, DRDA, Tinsukia.

The petitioner Sri Dulal Bora filed a petition on 12.01.2016 for non-compliance of the Commission’s order dated 30.04.2015 and the Commission issued notice to the SPIO, O/o the CEO, Zilla Parishad, Tinsukia on 02.04.2016 and hearing was fixed today i.e. 27.04.2016.

After careful scrutiny of the records available with the Commission, it appears that the notice should have been issued by the Commission to PD, DRDA, Tinsukia and not to SPIO, O/o the CEO, Zilla Parishad, Tinsukia. In view of the above, the Commission directs the SPIO, O/o the PD, DRDA, Tinsukia to furnish the information as sought for by the petitioner vide his RTI petition dated 07.03.2013 within 30 days from the date of receipt of this order, free of cost, as it appears that the Public Authority failed to respond to the RTI application which was transferred by the CEO, Zilla Parishad, Tinsukia to PD, DRDA, Tinsukia vide letter dated 20.03.2013 within the stipulated period of 30 days as directed by the Commission vide order dated 30.04.2015. A copy of the order dated 30.04.2015 and RTI Application dated 07.03.2013 to be enclosed with the above order.

With the above direction, the Second Appeal petition is hereby disposed of. The non-compliance filed by the petitioner is not applicable as the Commission's order was not communicated to PD, DRDA, Tinsukia.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission
Memo No. SIC/TSK.14/2013/ -A

Dtd. 27.04.2016

Copy to:

1. The SPIO, office of the Project Director, District Rural Development Agency, Tinsukia, Dist- Tinsukia, Assam for information and necessary action.
2. The SPIO, office of the Chief Executive Officer, Tinsukia Zilla Parishad, Dist- Tinsukia, Assam, Pin-786125 for information.
3. The First Appellate Authority/Chief Executive Officer, Tinsukia Zilla Parishad, Assam, Pin-786125 for information.
4. Sri Dulal Bora, S/o- Sri Deben Borah, House No.- 118, Rajib Gandhi Path, Kainadhara Tiniali, P.O.- Khanapara, P.S.- Basistha, Guwahati- 781022, Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission