



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

Case No. : SIC/NGN.15/2014
Appellant : Md. Siddiquir Rahman.
Respondent : The SPIO, O/o the Project Director, District Rural Development Agency, Nagaon
Date of hearing : 05.05.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
05.05.2016

Sri Biren Chandra Lalung, Assistant Statistical Officer, DRDA, Nagaon is present. He has claimed that he has been deputed by PD, DRDA, Nagaon to represent the SPIO, although no letter of authority has been produced before this Commission. He has submitted a Written Statement dated 04.05.2016 from the SPIO, office of the PD, DRDA, Nagaon.

The Appellant is absent without information.

Perused the case record. It is seen that the Appellant had submitted his RTI Application dated 08.11.2013 to the SPIO, office of the PD, DRDA, Nagaon and the First Appeal dated 04.12.2013 to the First Appellate Authority/PD, DRDA, Nagaon. He filed the Second Appeal dated 04.01.2014 after he failed to receive the information he had sought for and the PD, DRDA did not act on his First Appeal as First Appellate Authority.

Perused the aforementioned W/S. It has been submitted that the RTI Application had been transferred to BDO, Laokhowa Development Block through a letter dated 11.11.2013 as the information related to that Authority. The fact of transfer of the Application to the said BDO was not so far known to Commission. The SPIO was directed by the Commission through its hearing notice to cause attendance of the deemed PIO in case any such authority was responsible for non-furnishing/delay in furnishing the information beyond the stipulated period. That direction was in respect of seeking of assistance from deemed PIO. In accordance with this direction SPIO ought to have directed BDO, Laokhowa Development Block to apprise the Commission about the status of furnishing the information and/or to attend today's hearing. The SPIO failed to discharge his responsibility in this regard.

The First Appellate Authority/PD, DRDA, Nagaon has not apprised the Commission about the steps he has taken to dispose of the First Appeal within the stipulated time either by a Written Submission or by his personnel attendance or by deputing his authorized representative to the hearing. W/S from the SPIO is silent about disposal of the said First Appeal.

In view of the facts brought out above, the Commission hereby orders as follows –

1. SPIO, office of the BDO, Laokhowa Development Block shall provide the information, free of cost upto 20 copies and the rest on payment of the cost of photocopying by the Appellant/Applicant, within 10 days of receipt of this order. In respect of voluminous record relating to the information sought for, the SPIO shall advise the Appellant to inspect the same in his office during the office hours and the act of such inspection may be completed in 2 days;

2. SPIO, office of the PD, DRDA, Nagaon being the first authority to whom the RTI Application had been made shall coordinate with the SPIO, office of the BDO, Laokhowa Development Block to ensure furnishing of the information to the Applicant/Appellant;
3. PD, DRDA, Nagaon to whom the said First Appeal dated 04.12.2013 had been filed shall dispose of the same in the capacity of the First Appellate Authority, 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 Information Commission

Memo No. SIC/NGN.15/2014/ -A

Dtd. 05.05.2016

Copy to:

1. The SPIO, office of the Block Development Officer, Laokhowa Development Block, Nagaon, Dist- Nagaon, Assam for information and necessary action.
2. The SPIO, office of the Project Director, District Rural Development Agency, Nagaon, P.O.- Nagaon, Dist- Nagaon, Assam, Pin- 782001 for information.
3. The First Appellate Authority/Project Director, District Rural Development Agency, Nagaon, P.O.- Nagaon, Dist- Nagaon, Assam, Pin- 782001 for information and necessary action.
4. Md. Siddiquir Rahman, S/o- Asmat Ali, Vill & P.O.- Fakuli Pather, P.S- Juria, Dist- Nagaon, Assam, Pin- 782124 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission