

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

Case No. : SIC/CCR.19/2014
Appellant : Sri Nikhil Das.
Respondent : The SPIO, O/o the Project Director, DRDA, Cachar.
Date of hearing : 10.05.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
10.05.2016

Sri S. A. Laskar, First Appellate Authority (FAA)/Joint Director, office of the P& RD Department, Assam is present along with his assistant. He has submitted a W/S dated 10.05.2016 which is taken on the case record.

Sri Madab Roy, SPIO/APO (M), DRDA, Cachar is present along with a W/S dated 09.05.2016 which is taken on the case record.

The Appellant present.

Perused the aforementioned W/S from the FAA. It has been submitted that the First Appeal dated 29.08.2013 which was filed in his office could not be traced.

Perused the W/S from the SPIO. It has been submitted that the Applicant was asked to submit a fresh Application as some portion of the RTI Application dated 24.06.2013 which was submitted to his office was not clear.

Heard the Appellant. He submitted that he had received part of the information before filing of his Second Appeal dated 06.01.2014.

Perused the case record. It is seen that the Appellant had received part of the information on 10.09.2013 which he did not mention in his Second Appeal.

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

1. The Appellant shall inform the SPIO regarding the information remaining to be supplied to him out of the information sought in his RTI Application within 10 days. On receipt of such communication from the Appellant, the SPIO shall furnish the same within 10 days;
2. The SPIO shall submit an explanation before the Commission as to why penalty shall not be imposed on him/her under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period, within a period of 15 days of receipt of this order;
3. The First Appellate Authority/Joint Director, Commissionerate of Panchayat & Rural Development Department, Assam shall consider and dispose of the First Appeal dated 29.08.2013, with a speaking order, within 30 days of receipt of this order.

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 Project Director, District Rural Development Agency, P.O.- Silchar, Dist- Cachar, Assam, Pin- 788001 for information and necessary action.
2. The First Appellate Authority/Joint Director, Commissionerate of Panchayat & Rural Development, Assam, Juripar, Panjabari, Guwahati- 781037 for information and necessary action.
3. Sri Nikhil Das, S/o- Niro Mohan Das, Tarapur Chadmari Road, Near Sadhu Thakur Ashram, Silchar, P.O.- Silchar, Dist- Cachar, Assam, Pin- 788003 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission