

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

Case No. : SIC/CCR.20/2014
Appellant : Sri Nikhil Das.
Respondent : The SPIO, O/o the Chief Executive Officer, Cachar Zilla Parishad, 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

The SPIO is absent. By sending an email dated 09.05.2016 he submitted that he could not attend the hearing on account of "serious illness". A Written Statement dated 29.04.2016 has also been received from him separately which is taken on the case record.

Sri S. A. Laskar, First Appellate Authority (FAA)/Joint Director, office of the Director of 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.

The Appellant present.

Perused the aforementioned W/S from the SPIO. It has been submitted that according to the records of his office there was no RTI Application from Sri Nikhil Das, the Appellant, pending in his office. Further, the first hearing notice from the Commission dated 08.04.2016 has not been received by him therefore he was not in a position to submit a reply on the contents of the RTI Application.

Perused the W/S from the FAA. It has been submitted that the First Appeal dated 20.08.2013 which was filed in his office could not be traced.

Heard the Appellant. He submitted that he has not received any further information subsequent to filing of his Second Appeal dated 06.01.2014. In response to the submission made by the SPIO through his W/S, the Appellant stated that there is a seal on a copy of the RTI Application he has. He further submitted that the SPIO has not responded to his Application although there is direction from the D.C.'s office to him for providing the information.

Perused the case record. It is seen that the copy of the RTI Application which is in record of the Commission contains a photocopy of the postal receipt dispatched by registered post.

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

1. The SPIO, office of C.E.O., Cachar Zilla Parishad shall furnish the information as sought for by the Applicant/Appellant, free of cost, within a period of 10 days of receipt of this order;
2. The SPIO, office of C.E.O., Cachar Zilla Parishad shall submit a written explanation to the Commission as to on what basis he had categorically stated that no such Application from the Appellant was pending in his office;
3. The First Appellate Authority/Joint Director, P & RD Department, Assam shall consider and dispose of the First Appeal dated 20.08.2013, with a speaking order, within a period of 21 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 Chief Executive Officer, Cachar Zilla Parishad, 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