



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

Case No. : SIC/DHR.44/2014
Appellant : Md. Hasen Ali.
Respondent : The SPIO, O/o the Block Elementary Education Officer (BEEO),
Bilasipara Educational Block, Dhubri.
Date of hearing : 11.05.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
11.05.2016

The Appellant present.

The SPIO absent. He has not made any Written Submission to apprise the Commission about furnishing the information sought for which he was asked to do through its hearing notice dated 30.04.2016.

Heard the Appellant. He submitted that he has not received the information he had sought for and that he received no effective response from the SPIO, office of the BEEO, Bilasipara when he visited his (BEEO's) office. He further submitted that he has not received any order from the First Appellate Authority/DEEO, Dhubri.

In the absence of the SPIO and FAA or their representative and any Written Submission in today's hearing, the Commission could not determine as to whether they have received Commission's hearing notice.

The Commission is of the view that if these authorities had received the said notice and yet did not only not attend the hearing but also not apprise the Commission about the action taken by them to provide the information/dispose of the First Appeal Petition filed by the Appellant/Applicant dated 06.06.2014, it has indicated negligence in respect of RTI Application/Appeal with due diligence in accordance with the provision of the RTI Act, 2005.

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

1. The SPIO shall furnish the information sought for by the Appellant/Applicant, free of cost, within 10 days of receipt of this order;
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 of 30 days, within a period of 15 days of receipt of this order;
3. The First Appellate Authority shall consider and dispose of the First Appeal dated 06.06.2014, 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 Block Elementary Education Officer, Bilasipara Educational Block, Bilasipara, P.O.- Bilasipara, Dist- Dhubri, Assam, Pin- 783348 for information and necessary action.
2. The First Appellate Authority/District Elementary Education Officer, Dhubri, P.O.- Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information and necessary action.
3. Md. Hasen Ali, S/o- Anjan Ali, Vill- Gutipara Pt.-III, P.O.- Gutipara, Dist- Dhubri, Assam, Pin- 783349 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission