



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

Case No. : SIC/HLK.108/2015
Appellant : Md. Fakrul Hussain Barbhuiya
Respondent : The SPIO, O/o the Block Development Officer (BDO),
Hailakandi Development Block, Hailakandi
Date of hearing : 09.05.2016
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
09.05.2016

The petitioner Md. Fakrul Hussain Barbhuiya is absent without any intimation. The SPIO, O/o the BDO, Hailakandi Development Block is also absent.

The SPIO and Joint Director, P & RD however, has submitted a written statement that the RTI application dated 13.10.2014 submitted by Md. Fakrul Hussain Barbhuiya was not received and could not be traced out in their office.

In view of large number of cases pending before the Commission, the matter is taken up for consideration *ex parte*.

On perusal of the records, it appears that two RTI applications were filed by Md. Fakrul Hussain Barbhuiya on 13.10.2014 and 16.10.2014 before the SPIO, O/o the Block Development Officer, Hailakandi Development Block seeking information on IAY houses sanctioned with effect from 01.01.2000 to 13.08.2014, beneficiaries list etc. Reminder was issued vide letter dated 23.12.2014 for non receipt of the information. He filed the First Appeal petition on 01.04.2015 before the Director, Rural and Panchayat Department, Govt. of Assam, Dispur. The APO (M)/SPIO, DRDA, Hailakandi had transferred the First Appeal to the BDO, Hailakandi Development Block vide letter dated 05.05.2015 for furnishing of the information to the petitioner.

The petitioner filed his Second Appeal Petition before the Commission on 04.07.2015 stating that the information was not furnished by the SPIO, O/o the BDO, Hailakandi Development Block inspite of instructions from the SPIO, DRDA, Hailakandi and since he was not furnished with the information within the stipulated time, he may be furnished the information free of cost. A reminder was issued to the Commission vide letter dated 13.10.2015. A notice was issued for hearing on 29th April, 2016 enclosing a copy of the Second Appeal dated 04.07.2015.

In view of the facts stated above the Commission directs the SPIO, office of the BDO, Hailakandi Development Block to furnish the information to the petitioner within 30 days from the date of receipt of this order. He will allow the petitioner to inspect the relevant documents pertaining to the RTI petition during office hours within two working days to take notes and photocopies of the documents sought for, free of cost up to 50 copies and thereafter, on payment of Rs. 2/- on every additional pages.

With this above direction, the Second Appeal petition dated 04.07.2014 and 13.10.2015 is hereby disposed of.

Sd/-

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

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Copy to:

1. The SPIO, Office of the Block Development Officer, Hailakandi Development Block, Hailakandi, Dist- Hailakandi, Assam for information and necessary action.
2. The First Appellate Authority/Commissioner, Panchayat & Rural Development, Panjabari, Juripar, Guwahati, Pin-781037 for information and necessary action.
3. Md. Fakrul Hussain Barbhuiya, Asstt. Secretary, Creative Peoples' and Students' Forum, Hailakandi Blok Committee, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission