

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

Case No. : SIC/DHR.57/2014
Appellant : Sri Bansilal Gupta.
Respondent : The SPIO, O/o the Sub-Divisional Engineer, Dhubri
Electrical Sub-Division, Dhubri
Date of hearing : 07.06.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
07.06.2016

The SPIO absent without information. He has not made any written submission to apprise the Commission about the steps he may have taken to furnish the information sought for. He also has not submitted any written explanation as to why penalty shall not be imposed on him under Section 20 (1) of the RTI Act, 2005 for his failure to furnish the information to the Applicant within the stipulated period of 30 days.

The Complainant/Appellant present. Heard him. As he was still interested in the information, he requested that his Complaint case may be treated as Second Appeal. It was submitted that he had subsequently received some information from the SPIO through letter no. APDCL/DESD/T-69/2014-15/1810 dated 20.08.2014 but was not satisfied with the information in respect of one of the 3 items on which he had sought information. He submitted that the SPIO did not provide him with a certified copy of the NOC based on the strength of which electricity connection was given by APDCL to a certain person, namely Sri Ashish Halder who was a tenant of one of his brothers.

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

1. The SPIO shall provide a certified copy of the NOC based on which Sri Ashish Halder, W/No.- 5, U.N.C. Road, Dhanpatty, Dhubri had been given the electricity connection in 2008, within 10 days of receipt of this order;
2. The SPIO shall submit a written explanation as to why penalty shall not be imposed on him under Section 20 (1) of the RTI Act, 2005 for his failure to furnish the information to the Applicant within the stipulated period of 30 days, within 15 days of receipt of this order.

The Appellant is at liberty to file a First Appeal with the appropriate First Appellate Authority, namely Sub-Divisional Engineer, Dhubri Electrical Sub-Division, APDCL (LAR), Dhubri or to lodge a Complaint of non-compliance with the Commission in case he is aggrieved by the response of the SPIO to this order.

With this, the Second Appeal is disposed of.

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 Sub-Divisional Engineer, Dhubri Electrical Sub-Division, Dist- Dhubri, Assam information and necessary action.
2. Sri Bansilal Gupta, Ward No.-5, H/No.- 24, U.N.C. Road, Dhubri, Dist- Dhubri, Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.

Deputy Registrar
Assam Information Commission