



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

Case No. : SIC/NGN.5/2015
Appellant : Md. Abdul Zabbar.
Respondent : The SPIO, O/o the Block Development Officer, Kathiatoli
Development Block, Nagaon
Date of hearing : 02.07.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
02.07.2016

The Appellant present.

The SPIO absent. He has not submitted any Written Statement on the status of furnishing of information which was sought for by the Commission through its hearing notice dated 16.06.2016. He has also not explained 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.

The First Appellate Authority/PD, DRDA, Nagaon has not apprised the Commission about the steps he may have taken to dispose of the First Appeal dated 27.11.2014 which he was asked to do through its aforementioned hearing notice.

Heard the Appellant. He submitted that he had filed his Second Appeal dated Nil after he failed to receive the information from the office of the BDO, Kathiatoli Development Block. He also complained about rough treatment he received from the officials in the BDO's office.

Perused the case record. The Appellant's Second Appeal pertains to the information he had sought for from Kathiatoli Anchalik Panchayat through two Applications on the same date *i.e.* 29.09.2014, and the information sought for relating to list of beneficiaries of IAY and detailed information relating to fund spent under DDP, TFC, MGNREGA etc. in Kathiatoli Anchalik Panchayat.

From the records available in the Commission and submission by the Appellant, it appears that the SPIO, office of the BDO, Kathiatoli Development Block and the BDO of the Block have not discharged their duty and responsibility enjoined on them by the RTI Act, 2005.

Considering the facts of the case, the Commission hereby orders as follows –

1. The SPIO, office of BDO, Kathiatoli Development Block, Nagaon shall furnish the information sought for by the Appellant, free of cost, within 15 days of receipt of this order;
2. The SPIO, office of BDO, Kathiatoli Development Block, Nagaon shall submit a written explanation to the Commission, within 15 days of receipt of this order, as to why penalty shall not be imposed on him/her under Section 20 (1) of the Act for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days.

Should the SPIO fail to provide the information in compliance with this order within the time stipulated, the Appellant shall be at liberty to file fresh First Appeal with the appropriate First Appellate Authorities in respect of IAY and other schemes.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/NGN.5/2015/ -A

Dtd. 02.07.2016

Copy to:

1. The SPIO, office of Block Development Officer, Kathiatoli Development Block, Dist- Nagaon, Assam for information and necessary action.
2. Md. Abdul Zabbar, Kosulukhowa, K.K. Path, Dist- Nagaon, Assam, Pin- 782001 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Deputy Registrar
Assam Information Commission