

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

Case No. : SIC/NGN.70/2014
Appellant : Md. Khairul Islam Fakir.
Respondent : The SPIO, O/o the Deputy Commissioner, Nagaon
Date of hearing : 23.06.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
23.06.2016

The Appellant present.

The SPIO absent. She 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 07.06.2016. She also has not explained as to why penalty shall not be imposed on her under Section 20 (1) of the RTI Act, 2005 for her failure to furnish the information to the Applicant within the stipulated period of 30 days.

Heard the Appellant. He submitted that he has not received the information he had sought for inspite of the laps of nearly 2 years since submission of his RTI Application dated 03.07.2014 and the order of the First Appellate Authority dated 15.09.2014 to furnish the information within 5 days of receipt of this order.

Perused the case record. It is seen that the Appellant had made his Second Appeal being aggrieved at not receiving any response from the SPIO to his Application that sought to know as to what action had been taken on his Petition submitted to the A.D.C. (Revenue), Nagaon with the No. 49626 dated 13.06.2014. It is also seen that the D.C., Nagaon as First Appellate Authority had issued the order dated 15.09.2014 directing the A.D.C. (Revenue) and Circle Officer, Nagaon Sadar Revenue Circle to provide the information within 5 days.

Although, the Commission's hearing notice dated 07.06.2016 was addressed as "SPIO, office of the D.C. (Revenue Branch), Nagaon, Assam", it would be appropriate for the SPIO, office of the D.C., Nagaon to deal with all RTI matters for that Public Authority. Therefore, the Commission hereby orders that the SPIO, office of the D.C., Nagaon shall take necessary action to procure the information from the concerned officials and provide the same to the Appellant in response to his RTI Application dated 03.07.2014, within 15 days of receipt of this order.

As the said order of the First Appellate Authority dated 15.09.2011 has not been complied with by the concerned officials, the FAA/D.C., Nagaon shall consider and dispose of the First Appeal dated 04.08.2014 once again, with a speaking order, within 21 days of receipt of this order.

With this, the Second Appeal Petition 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 Deputy Commissioner, Nagaon, Dist- Nagaon, Assam for information and necessary action.
2. The First Appellate Authority/ Deputy Commissioner, Nagaon, Dist- Nagaon, Assam for information and necessary action.
3. Md. Khairul Islam Fakir, S/o- Askar Ali, Vill & P.O.- Fakuli Pather, Dist- Nagaon, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission