



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

Case No. : **KP(M)35/2014**

Complainant/ appellant : **Sri B.C. Thakuria**

Respondent : **DFO, Social Forestry, Biswanath Chariali.**

Date of hearing : **23-06-2016**

Complaint/ Second : **Shri H.S. Das, IAS (Retd)**
appeal heard by **Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri B.C. Thakuria as well as the public authority to be represented by the SPIO of the office of the DFO, Social Forestry Division, Biswanath Chariali, District- Sonitpur both are absent. The petitioner has sent a letter dated 18-6-2015 stating that :-

- (a) He was not given specific information by the concerned public authority in response to his RTI petition dated 30-9-2013**
- (b) Violation of RTI Act, 2005 by the SPIO are not counted and no penalty is imposed by the Commission, and**
- (c) It appears to be infructuous when information received after 3 to 4 years and the principle of “delay, defect equity” followed.**

The DFO, as the First Appellate Authority, Sonitpur Social Forestry Division, Biswanath Chariali and his SPIO both have sent two separate written submissions dated 23-6-2016. The gist of the written submissions is that the petitioner Sri B. C. Thakuria filed an RTI petition dated 30-9-2013 seeking informations about financial and physical achievements completion reports, utilization reports and inspection reports of all schemes implemented by the DFO, Social Forestry Division, Biswanath Chariali in 2012-2013. Information was furnished to the petitioner vide letter dated 25-10-2013. Not satisfied with the reply the petitioner filed his first appeal petition before the DFO on 6-11-2013. The predecessors of the present DFO did not appear to have attended to the first appeal petition filed by the petitioner in their capacities as the first appellate authorities. The present DFO joined on 5-3-2014, but the first appeal petition was not brought to his notice. He came to know about the pending first appeal petition after receipt of this Commission's notice dated 19-6-2016.

The DFO has offered to collect the relevant documents and furnish the sought for information to the petitioner , as mentioned in his letter dated 23-6-2016, if the Commission allows him to do so. But the petitioner has mentioned in his letter dated 18-6-2016 that receipt of the sought for information after 3 to 4 years is infructuous.

This Commission , therefore, directs the petitioner to inform the DFO , Social Forestry Division, Biswanath Chariali , District-Sonitpur , if he is still interested in getting the complete information sought for by him within 15 days from the date of receipt of this order. The DFO, Social Forestry Division, Biswanath Chariali is directed to furnish the required information to the petitioner within another 15 days thereafter.

With the above order, the complaint petition dated 6-1-2014 is disposed of.

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahat

Authenticated true copy.
Sd/-
Registrar
Assam Information Commission

Memo No.SIC/KP(M)35/2014/36-A

Dtd. 23-6-2016

Copy to:

1. Sri SPIO of the office of DFO, Social Forestry Division, Biswanath Chariali, District- Sonitpur , for information and necessary action.
2. Sri B.C. Thakuria, 12, Santipur, I.G. Road, Guwahati-781 009 for information and necessary action, as ordered above.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission