



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

Case No. : SIC/CCR.59/2014
Appellant : Md. Faruk Ahmed
Respondent : The SPIO, O/o the Block Elementary Education Officer,
Katigorah, Cachar
Date of hearing : 21.07.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
21.07.2016

Neither the SPIO nor the Appellant is present. The SPIO 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 01.07.2016. He has also not explained 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 First Appellate Authority/BEEO, Katigorah, Cachar has not apprised the Commission about the steps he may have taken to dispose of the First Appeal dated 05.12.2013 which he was asked to do through its aforementioned hearing notice.

However, considering the age of the RTI Application/Second Appeal case, the Commission has decided to go ahead with the hearing proceeding *ex parte*.

Perused the case record. It is seen that although the information was sought from the BEEO, Katigorah he has directed the Member Secretary, Nazatpur L.P. School through his letter dated 04.10.2013. On not received the information in spite of reminder, the Appellant filed a First Appeal with the DEEO, Cachar. The Second Appeal was filed with the Commission on 25.01.2014 after he failed to receive the information and response to his First Appeal.

In the absence of the Appellant in today's hearing, the Commission could not determine the status of furnishing and receipt of the information sought for by him.

Considering the facts of the case brought out above, the Commission hereby orders that if the information has not meanwhile been furnished, the SPIO, office of the BEEO, Katigorah shall arrange furnishing of the same to the Appellant, free of cost, within 15 days of receipt of this order.

As there is no evidence of the First Appellate Authority having disposed of the First Appeal dated 05.12.2013, he shall do so, with a speaking order, within 21 days of receipt of this order in accordance with the provisions in this behalf in the Act.

With this, the Second Appeal Petition is hereby 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 Block Elementary Education Officer, Katigorah Educational Block, Cachar, Dist- Cachar, Assam for information and necessary action.
2. The First Appellate Authority/District Elementary Education Officer, Cachar, Dist- Cachar, Assam for information and necessary action.
3. Md. Faruk Ahmed, S/o- Khalilur Ahmed, Vill- Nazatpur, P.O.- Lattimara, Cachar, Assam, Pin- 788805 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission