



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

Case No. : SIC/CCR.66/2014
Appellant : Md. Selim Uddin Choudhury.
Respondent : The SPIO, O/o the Deputy Commissioner Cachar
Date of hearing : 17.08.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
17.08.2016

The Appellant present.

The SPIO absent without information. 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 14.07.2016. 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/Deputy Commissioner, Cachar has not apprised the Commission about the steps he may have taken to dispose of the First Appeal dated 24.01.2014 which he was asked to do through its aforementioned hearing notice.

Heard the Appellant. He submitted that he has not received the information he had sought for.

Perused the case record. It is seen that the Appellant had sought information regarding detailed action taken report on two government letters, namely AEE.15/2012/15 dated 16.06.2012 and AEE.15/2012/36 dated 24.01.2013.

Seen from the documents enclosed with the Second Appeal that the First Appellate Authority had fixed a date for hearing but did not hear the case being absent himself on the day of hearing.

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

1. The SPIO shall provide the information to the Appellant, within a period of 10 days of receipt of this order, free of cost;
2. The SPIO 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; and
3. The First Appellate Authority/Deputy Commissioner, Cachar shall consider and dispose of the First Appeal dated 24.01.2014, with a speaking order, within a period of 21 days of receipt of this order in the context of this order of the Commission.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar
Assam Information Commission

Memo No. SIC/CCR.66/2014/10 -A

Dtd. 17.08.2016

Copy to:

1. The SPIO, office of the Deputy Commissionr, Cachar, Dist- Cachar, Assam information and necessary action.
2. The First Appellate Authority/ Deputy Commissionr, Cachar, Dist- Cachar, Assam information and necessary action.
3. Md. Selim Uddin Choudhury, General Secretary, IBISBDOK, Vill- Karaikandi-II, P.O.- Rajartilla, Dist- Cachar, Assam, Pin- 788805 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Registrar
Assam Information Commission