



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

Case No. : SIC/DHR.12/2014
Appellant : Md. Somej Ali
Respondent : The SPIO, O/o the
1. Block Elementary Education Officer, South Salmara
Educational Block, Dhubri
2. Head Master, Kalnoi Pre-Senior Madrassa, Dhubri
Date of hearing : 30.08.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
30.08.2016

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 22.07.2016. 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 Appellant absent without information although he was asked through the hearing notice to present his case himself or through his authorized representative. In the absence of the Appellant, the Commission could not ascertain whether he had received the information subsequent to filing of his Second Appeal Petition.

The First Appellate Authority/DEEO, Dhubri has not apprised the Commission about the steps he may have taken to dispose of the First Appeal dated 18.11.2013 which he was asked to do through its aforementioned hearing notice.

Perused the case record. It is seen that the Appellant had submitted his Second Appeal dated 23.12.2013 after he failed to receive the information he had sought for and any response to his First Appeal submitted to the DEEO, Dhubri.

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

1. If the SPIO, office of the BEEO, South Salmara Educational Block, Dhubri has not provided the information to the Applicant in accordance with the provisions of the RTI Act, 2005, he shall submit an explanation 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, within 15 days of receipt of this order;

2. The FAA/DEEO, Dhubri shall consider and dispose of the First Appeal dated 18.11.2013, with a speaking order, within 21 days of receipt of this order in accordance with the provisions in the said Act in this behalf.

Sd/-
Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Deputy Registrar
Assam Information Commission

Memo No. SIC/DHR.12/2014/ -A

Dtd. 30.08.2016

Copy to:

1. The SPIO, office of the Block Elementary Education Officer, South Salmara Educational Block, South Salmara, Dist- Dhubri, Assam for information and necessary action.
2. The First Appellate Authority/District Elementary Education Officer, Dhubri, Dist- Dhubri, Assam for information and necessary action.
3. Md. Somej Ali, S/o- Lt. Sonaulah Sk, Vill- Kalnoi, P.O.- Medartary, Dist- Dhubri, Assam, Pin- 783330 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission