



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

Case No. : SIC/DHR.25/2014
Appellant : Md. Abdul Mozid Mollah
Respondent : The SPIO, O/o the District Elementary Education Officer,
Dhubri
Date of hearing : 01.09.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
01.09.2016

The Appellant present along with his assistant.

The SPIO absent. However, a Written Statement dated 24.08.2016 received from the First Appellate Authority/DMC, SSA, Dhubri which is taken on case record.

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

Perused the W/S. It has been submitted that on receipt of the RTI Application dated 28.10.2013 it was transferred to the DEEO, Dhubri through a letter dated 29.10.2013. After receiving the First Appeal (dated 07.12.2013) on 16.12.2013 a hearing was taken and order issued on 03.01.2014 for the DEEO, Dhubri to provide the information within 7 days. It has been added that no further complaint/correspondence have been received after the disposal of the First Appeal.

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 01.08.2016. 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.

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

1. The SPIO shall provide the information sought for by the Appellant, free of cost, within 10 days of receipt of this order; and
2. The SPIO shall submit an explanation as to why (i) he has not only not attended today's hearing but also has not submitted any Written Statement on the action taken to furnish the information sought for by the Appellant, and (ii) 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, within 15 days of receipt of this order.

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 District Elementary Education Officer, Dhubri, Dist- Dhubri, Assam for information and necessary action.
2. The First Appellate Authority/District Mission Co-ordinator, Sarba Siksha Abhiyan, Dhubri, Dist- Dhubri, Assam for information.
3. Md. Abdul Mozid Mollah, S/o- Lt. Akram Ali Mollah, Vill- Pachim Nashkara, P.O.- Airkata, Dist- Dhubri, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar

Assam Information Commission