



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

Case No. : SIC/DHR.10/2016
Appellant : Md. Saman Ali Sk.
Respondent : The SPIO, O/o the Director, Soil Conservation, Assam
Date of hearing : 05.09.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
05.09.2016

The Appellant present.

The SPIO absent. 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 04.08.2016. 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.

The First Appellate Authority/Director, Soil Conservation, Assam has not apprised the Commission about the steps he may have taken to dispose of the First Appeal dated 07.08.2015 which he was asked to do through its aforementioned hearing notice.

Heard the Appellant. He submitted that he was yet to receive the information he had sought for.

Perused the case record. It is seen that the Appellant had submitted his Second Appeal dated 16.06.2016 after he failed to receive the information he had sought for and any response to his First Appeal submitted to the Director, Soil Conservation, Assam.

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

1. The SPIO, office of the Director, Soil Conservation, Assam shall provide the information sought for by the Appellant, free of cost, within 10 days of receipt of this order;

2. The SPIO, office of the Director, Soil Conservation, Assam 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 12 days of receipt of this order;

3. The FAA/Director, Soil Conservation, Assam shall consider and dispose of the First Appeal dated 07.08.2015, with a speaking order, within 15 days of receipt of this order in accordance with the provisions in the said Act in this behalf.

The next date of hearing will depend on compliance or otherwise of their orders by the Public Authority.

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

Authenticated true copy.

Sd/-

Deputy Secretary
Assam State Information Commission

Memo No. SIC/DHR.10/2016/ -A

Dtd. 05.09.2016

Copy to:

1. The SPIO, Office of the Director, Soil Conservation, Assam, R.G. Baruah Road, Guwahati-781005 for information and necessary action.
2. The First Appellate Authority/Director, Soil Conservation, Assam, R.G. Baruah Road, Guwahati- 781005 for information and necessary action.
3. Md. Saman Ali Sk., S/o- Kachimuddin Sk., Krishnanagar, Bilasipara, W/No.- 14, P.O.- Bilasipara, Dist- Dhubri, Assam, Pin- 783348 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Secretary
Assam State Information Commission