

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

Case No. : KP(M).618/2016
Complainant/ Appellant : Shri Dulu Mahanta
Respondent : Circle Officer, Sadar Revenue Circle, Nagaon
Date of hearing : 30.9.2016
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

30.9.2016

The petitioner Shri Dulu Mahanta is present. The public authority to be represented by the SPIO of the office of the Circle Officer, Sadar revenue Circle, Nagaon and the first appellate authority i.e. Deputy Commissioner, Nagaon are absent. However, the SPIO and the Addl. Deputy Commissioner of the office of the Deputy Commissioner, Nagaon has sent a written submission dated 28.9.16, which is entered into the case records. The SPIO has enclosed with his WS an order dated 17.6.16 by the FAA and Deputy Commissioner, Nagaon directing the Circle Officer, Sadar Revenue Circle, Nagaon to furnish the required information to the petitioner in response to his RTI petition dated 14.7.15 and first appeal petition dated 27.7.15. The appellant deposed before this Commission that in spite of the order dated 17.6.16 by the FAA, the Circle Officer, Sadar Revenue Circle, Nagaon has not furnished any information to him till date.

This Commission directs the Circle Officer, Sadar Revenue Circle, Nagaon to furnish the required information to the petitioner within 15 days from the date of receipt of this order free of cost by registered post to the address given by the petitioner in his RTI petition. While furnishing the information as directed above, the Circle Officer may refer to the definition of information u/s 2 (f) and also the provisions of section 7 (9) of the RTI Act, 2005, and if he finds that any of the informations sought for by the petitioner is outside the purview of the RTI Act, he shall inform the petitioner/appellant about it in writing within 15 days from the date of receipt of this order along with the informations which he can furnish.

This Commission also directs the Circle Officer of Sadar Revenue Circle, Nagaon to submit his written explanation for :-

- (a) his failure to respond to the petitioner's RTI petition dated 14.7.15 within the stipulated time,
- (b) failure to comply with the FAA and Deputy Commissioner, Nagaon's order dated 17.6.16, and
- (c) as to why penalty u/s 20 of the RTI Act, 2005 shall not be imposed on him for his lapses as mentioned in (a) and (b) above. His written explanation should reach this Commission by 31st October, 2016.

Put up the matter again on 5.11.2016 at 11.30 AM requiring personal appearance of the Circle Officer, Sadar Revenue Circle, Nagaon.

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).618/2016/17-A

Dtd. 30.9.2016

- Copy to:
- 1. Addl. Deputy Commissioner & SPIO of the office of the Deputy Commissioner, Nagaon, Assam for information and necessary action.
 - 2. the Circle Officer, Sadar Revenue Circle, Nagaon, Assam for information and necessary action.
 - 3. Shri Dulu Mahanta, House No. 49, Geetanagar, PO- Noonmati, Guwahati- 781 020 for information.
 - 4. Computer Section for uploading in the Website.
 - 5. Office File.
 - 6. Order Book.

Registrar
Assam Information Commission