

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

Case No. : SIC/BPT.95/2016
Appellant : Smt. Archana Das
Respondent : The SPIO, O/o the Social Welfare Deptt. Govt. of Assam,
Dispur, Guwahati- 781 006
Date of hearing : 18.11.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
18.11.2016

Shri Dhiraj Deka present as deputed by his wife and the Appellant.

The SPIO absent without information.

The SPIO has not given any Written Statement and also has not explained as to why penalty U/S 20 (1) of the RTI Act, 2005 shall not be imposed on him for his failure to furnish the information sought for within the stipulated time period.

The First Appellate Authority/Commissioner & Secretary, Social Welfare Deptt., Govt. of Assam to whom the First Appeal dated 01.07.2016 had been submitted has not apprised the Commission in writing about the steps he might have taken to dispose of the First Appeal petition within the stipulated time period.

Heard the Appellant's representative. He submitted that the Appellant had not received the information or any communication with reference to her RTI Application dated 10.05.2016. She has also not received any response from the FAA/Commissioner & Secretary, Social Welfare Deptt., Govt. of Assam. The Appellant is still interested in furnishing of information.

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

- (i) The SPIO, O/o the Social Welfare Deptt, Govt. of Assam shall provide the information sought for by the Appellant, free of cost, within a period of 15 days of receipt of this order.
- (ii) The SPIO shall explain in writing as to why penalty U/S 20 (1) of the RTI Act, 2005 shall not be imposed on him for his failure to furnish the information sought for within the stipulated time period. The explanation may be submitted to the Commission within 15 days of receipt of this order.

Further, attention of the Commissioner & Secretary, Social Welfare Deptt., Govt. of Assam is drawn to the fact that there is no evidence of his disposing of the First Appeal in the capacity within the time stipulated by the RTI Act, 2005. He is hereby advised to ensure that the SPIO of his office complies with this order.

The next date of hearing will be fixed in 6 weeks' time.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Sd/-

Dy. Registrar
Assam State Information Commission

Copy to:

1. The SPIO, O/o the Social Welfare Deptt., Govt. of Assam, Dispur, Guwahati- 781 006 for information and necessary action.
2. The First Appellate Authority/Commissioner & Secretary, Social Welfare Deptt., Govt. of Assam, Dispur, Guwahati- 781 006 for information.
3. The Appellant, Smt. Archana Das, C/o, Shri Aswini Das, Near Sankar Dev Than, Vill. & PO- Patbausi, Distt- Barpeta, Assam, Pin- 781 314 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Registrar
Assam State Information Commission