

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

Case No. : SIC/NGN.137/2016
Appellant : Md. Waizul Hoque Choudhury
Respondent : The SPIO, O/o the Assistant Registrar of Co-operative Societies, Nagaon
Date of hearing : 06.02.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
06.02.2017

Shri Pradip Ch. Medhi, Assistant Registrar of Co-operative Societies, Nagaon, Assam and Shri Bipul Hazarika, Sub-Registrar, ARCS are present. The ARCS has submitted a Written Statement dated 03.02.2017.

The Appellant, Md. Waizul Hoque Choudhury is present. He submitted that he had not received the information although he had deposited the amount of RS. 3140/- (Rupees three thousand one hundred forty) to the concerned Secretary of the Samabay Samitee, namely (Dhupaguri SS Ltd.), as asked for towards cost of photocopying.

Perused the W/S and heard the ARCS and the SPIO. It has been submitted that the RTI Application dated 16.07.2016 had been transferred to the Secretary, Dhupaguri SS Ltd. through a letter dated 20.07.2016 and the First Appeal was heard and an order issued on 21.10.2016 directing the Secretary of the said SS Ltd. to furnish the information within 5 days. The ARCS submitted that he was unable to contact the said Secretary by phone inspite of his efforts after receiving the Hearing Notice from the Commission.

It is seen that the Secretary of the said SS Ltd. has utterly failed to take action in accordance with the provisions of the RTI Act, 2005 to provide the information to the information seeker inspite of the latter having deposited the fund sought for from him towards the cost of photocopying, for the last 5 (five) months since the deposit of the amount.

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

- (i) The SPIO, O/o the Secretary, Dhupaguri SS Ltd. shall furnish the information sought for by the Appellant, free of cost, within 10 days of receipt of this order.
- (ii) The SPIO, O/o the Secretary, Dhupaguri SS Ltd. shall submit an explanation 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 inspite of the passage of over 5 (five) months since the receipt of the cost of photocopying from the Appellant on demand. He shall submit the explanation to the Commission within 10 days of receipt of this order.

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

Sd/-
Dy. Registrar
Assam State Information Commission

Memo No. SIC/NGN.137/2016

Dtd. 06.02.2017

Copy to:

1. The SPIO, O/o the Assistant Registrar of Co-operative Societies, Nagaon, Assam for information and necessary action.
2. The SPIO, O/o the Secretary, Dhupaguri SS Ltd., PO- Dhupaguri, Nagaon, Assam for information and necessary action.
3. The First Appellate Authority/Assistant Registrar of Co-operative Societies, Nagaon, Assam

for information.

4. The Appellant, Md. Waizul Hoque Choudhury, Vill- Dhupaguri Pather, PO- Dhupaguri, Nagaon, Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.

Dy. Registrar
Assam State Information Commission