



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

Case No. : SIC/BPT.125/2016
Appellant : Smt. Saniara Talukdar
Respondent : The SPIO, O/o the Director, Social Welfare, Assam
Date of hearing : 24.02.2017
Second Appeal heard by : Shri Pinuel Basumatary
State Information Commissioner, Assam

O R D E R
24.02.2017

Smt. Niva Das, Programme Officer, Divisional ICDS Cell/SPIO, O/o the Directorate of Social Welfare Department is present.

The Appellant's representative Md. Shafikul Islam is present.

Heard the representative of the Appellant. He submitted that the Appellant has not received the information she had sought for.

Heard the SPIO. She submitted that she has taken over the charge recently and has gathered that the information could not be furnished for want of the requisite information from the concerned branch of the office, and that the matter could not be pursued for want of the related records which were seized by Vigilance sometime back.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall have the position of availability or otherwise of the record related to the information sought for and furnish the information, if the records are located, free of cost, as soon as possible but at any rate within 10 days of receipt of this order.

Further, should the records be currently not available in the custody of the office, the SPIO is directed to furnish the information to the Appellant within 10 days of receipt of the relevant documents/records from the Vigilance or any other authority who has seized them.

Furthermore, the Commission brings to the notice of the Director, Social Welfare, Assam that there has been a failure on the part of the SPIO of the time and the successors SPIOs if any, to furnish the information sought for through the RTI Application dated 20.02.2016 within the time stipulated by the RTI Act, 2005 and the penal provisions for failure to do so. He is also directed to ensure that his SPIO responds to RTI Applications timely in accordance with the provisions of the said Act in the future.

The Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to approach the Commission, if she is aggrieved by the response of the SPIO.

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

Sd/-
Dy. Registrar
Assam State Information Commission

Memo No. SIC/BPT.125/2016/21-A

Dtd. 24.02.2017

Copy to:

1. The SPIO, O/o the Director, Social Welfare, Assam, Uzanbazar, Guwahati- 781 001 for information and necessary action.

2. Smt. Saniara Talukdar, D/o- Ibrahim Ali Talukdar, W/o- Shafikul Islam, Vill- Damalijar, PO- Palhazi, Dist- Barpeta, Assam, Pin- 781 309 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Dy. Registrar
Assam State Information Commission