



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

Case No. : SIC/CCR.12/2014  
Complainant : Shri A.K. Laskar, General Secretary, ACRDO.  
Respondent : The SPIO, office of the Deputy Commissioner, Cachar, Silchar.  
Date of hearing : 06.06.2017  
Complaint heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
06.06.2017

The petitioner Shri A.K. Laskar is present.

The Public Authority to be represented by the SPIO, office of the Deputy Commissioner, Cachar is absent without any intimation.

Today's hearing is taken as follow up action of this Commission's earlier orders dtd. 16.06.2016 and 04.05.2017. The Commission vide order dtd. 16.06.2016 had directed the SPIO, office of the Deputy Commissioner, Cachar to allow the petitioner to inspect all relevant records and documents in connection with his RTI petition dtd. 30.8.2013 within 30 days from the date of receipt of the order and allow him to take notes as well as photocopies of documents, free of cost, upto 100 copies and thereafter against payment of Rs. 2/- for every additional page of photocopy. The SPIO, office of the Deputy Commissioner was also directed to show cause as to why penal action shall not be initiated against him for his failure to give any response to the petitioner so far. His written submission was to reach the Registry of the Commission within 30 days from the date of receipt of the order.

On receipt of non-compliance petition dtd. 31.10.2016, the Commission vide order dtd. 04.05.2017 gave the SPIO, office of the Deputy Commission, Cachar a last opportunity to reply to show cause in pursuance of the order dtd. 16.06.2016. The SPIO, office of the Deputy Commissioner, Cachar did not communicate with the petitioner regarding inspection of relevant records and documents and has not filed any explanation as to why penal action shall not be initiated against him for his failure to give any response to the petitioner so far, nor has appeared for the hearing today.

From the above, it appears that the SPIO, office of the Deputy Commissioner, Cachar has been willingly absenting himself from attending the hearing before the Commission.

The Commission is therefore of the view that enough opportunity for hearing was given to the SPIO, office of the Deputy Commissioner, Cachar, but did not avail the opportunity. He has also not furnished the information to the petitioner which appears to be non-compliance of the Commission's orders dtd. 16.06.2016 and 04.05.2017.

This Commission therefore imposes penalty of Rs. 10,000/- on the SPIO, office of the Deputy Commissioner, Cachar for his continued failure to furnish the sought for information to the petitioner in compliance with the Commission's order. He is directed to deposit the penalty of Rs. 10,000/- under **the Head of Account " 0070" – other administrative Service through Treasure Challan** within 15 days from the date of receipt of this order and furnish a copy of the Challan depositing the penalty to this Commission within 30 days from the date of receipt of this order.

The Commission also directs the Deputy Commissioner, Cachar to look into the matter of failure of the SPIO, office of the Deputy Commissioner, Cachar to comply with the provisions of

the RTI Act, 2005 and to ensure implementation of order dtd. 04.05.2017 within 30 days from the date of receipt of this order.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Joint Registrar  
Assam Information Commission

Memo No. SIC/ CCR.12/2014/ 16 -A

Dtd. 06.06.2017.

Copy to:

1. The SPIO, office of the Deputy Commissioner, Cachar, Silchar -1, Assam for information and necessary action.
2. The Deputy Commissioner, Cahcar, Silchar, Dist. – Cachar, Assam for information and necessary action.
3. Shri A.K. Laskar, General Secretary, A.C.R.D.O, Vill. & P.O. – Nearigram Part-II, Dist. – Cachar, Pin – 788 013, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar

Assam Information Commission