

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

Case No. : SIC/KMJ.19/2017
Appellant : Shri Sumen Roy
Respondent : The SPIO, O/o the Block Dev. Officer, South Karimganj Dev. Block
Date of hearing : 08.06.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
08.06.2017

The SPIO, O/o the Block Dev. Officer, South Karimganj Dev. Block absent without information.

The Appellant, Shri Sumen Roy is present. He submitted a Written Statement dated 08.06.2017.

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

The First Appellate Authority absent and has not apprised the Commission about the steps he might have taken to dispose of the First Appeal.

Heard the Appellant and perused his W/S. It has been submitted that he had neither received the information sought for through his RTI Application dated 11.11.2016 from the SPIO nor any decision from the FAA in response to his First Appeal dated 28.12.2016.

As the Appellant is present with his W/S, the Commission decided to conduct the hearing proceedings *ex parte* of the SPIO.

In the absence of the SPIO and the FAA from the hearing, the Commission could not determine as to whether they have taken any action to furnish the information and to dispose of the First Appeal respectively.

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

- (i) The SPIO, O/o the BDO, South Karimganj Dev. Block shall furnish the information sought for by the Appellant, free of cost, within 10 days of receipt of this order, and
- (ii) The SPIO, O/o the BDO, South Karimganj Dev. Block shall submit an explanation as to why penalty U/S 20(1) of the RTI Act, 2005 should not be imposed on him for his failure to furnish the information within the time stipulated. The explanation shall be submitted to the Commission within 15 days of receipt of this order.

The next date of hearing shall be decided based on receipt/non-receipt of the compliance report from the SPIO.

Review in 5 weeks of dispatch of this order.

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

Authenticated true copy

Sd/-
Joint Registrar

Memo No. SIC/KMJ.19 /2017/16-A

Dtd.08.06.2017

Copy to:

1. The SPIO, O/o the Block Dev. Officer, South Karimganj Dev. Block, PO- Shyamnagar, Kaliganj Bazar, Dist- Karimganj, Assam, Pin- 788 720 for information and necessary action.
2. The First Appellate Authority/Block Dev. Officer, South Karimganj Dev. Block, PO- Shyamnagar, Kaliganj Bazar, Dist- Karimganj, Assam, Pin- 788 720 for information.
3. The Appellant, Shri Sumen Roy, Pushpa Lane, Ward No. 2, Vill & PO- Kanishail, PS & Dist- Karimganj, Assam, Pin- 788 711 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam State Information Commission

