

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

Case No. : SIC/KMJ.14/2017  
Appellant : Shri Sumen Roy  
Respondent : The SPIO, O/o the Chief Executive Officer, Silchar Zilla Parishad  
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 Chief Executive Officer, Silchar Zilla Parishad 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 is 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 21.01.2017 from the SPIO nor any decision from the FAA in response to his First Appeal dated 10.03.2017.

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 CEO, Silchar Zilla Parishad 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 CEO, Silchar Zilla Parishad 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.14 /2017/12-A

Dtd.08.06.2017

Copy to:

1. The SPIO, O/o the Chief Executive Officer, Silchar Zilla Parishad, Dist- Cachar, Assam, Pin- 788 001 for information and necessary action.
2. The First Appellate Authority/Chief Executive Officer, Silchar Zilla Parishad, Dist- Cachar, Assam, Pin- 788 001 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





