



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

Case No. : SIC/DMJ.17/2017
Appellant : Shri Sanjib Saikia
Respondent : The SPIO, O/o the Town Committee (Municipality Board),
Dhemaji
Date of hearing : 05.07.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
05.07.2017

The Appellant, Shri Sanjib Saikia is present.

The SPIO is absent without information.

The First Appellate Authority/Executive Officer, Town Committee (Municipality Board), Dhemaji has not apprised the Commission about the steps he might have taken to dispose of the First Appeal in accordance with the RTI Act, 2005.

The SPIO, O/o the Town Committee (Municipality Board), Dhemaji has not submitted any Written Statement and also 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.

As the Appellant is present, the Commission decided to conduct the hearing proceedings *ex parte* of the Public Authority.

Heard the Appellant. He submitted that he has not received the information he had sought for through his RTI Application dated 30.06.2016.

In the absence of the SPIO, and no Written Statement from the FAA, the Commission could not be ascertain as to whether any action taken to furnish the information and/or to dispose of the First Appeal dated 10.08.2016 in response to the RTI Application dated 30.06.2016.

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

- (i) The SPIO, O/o the Town Committee (Municipality Board), Dhemaji shall furnish the information to the Appellant, free of cost, within 10 days of receipt of this order, and
- (ii) The SPIO, O/o the Town Committee (Municipality Board), Dhemaji 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.

If the explanation sought for as above, is not received from the SPIO, fix next date of hearing in six weeks' time.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar
Assam State Information Commission

Copy to:

1. The SPIO, O/o the Town Committee (Municipality Board), Dhemaji, Assam for information and necessary action.
2. The First Appellate Authority/Executive Officer, Town Committee (Municipality Board), Dhemaji, Assam for information.
3. The Appellant, Shri Sanjib Saikia, Vill- Nalanipam (D.I. Colony beside), PO- Dhemaji, Pin- 787 057, Dhemaji, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam State Information Commission