



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

Case No. : SIC/DRN.64/2016
Appellant : Md. Makibar Rahman & Md. Ayub Ali
Respondent : The SPIO, O/o the Block Dev. Officer, Sipajhar Dev. Block,
Darrang
Date of hearing : 02.08.2017
Second Appeal heard by : Shri Pinuel Basumatary
State Information Commissioner, Assam

O R D E R
02.08.2017

Smt. Japasri Das, SPIO, office of the Block Dev. Officer, Sipajhar Dev. Block present.

The Appellants, Md. Makibar Rahman & Md. Ayub Ali present. They submitted a Written Statement dtd. 02.08.2017.

Perused the case record. The Second Appeal dtd. 15.11.2016 had been heard by the Commission and an order issued dtd. 22.02.2017 directing the SPIO to a) furnish the wanting information by reviewing the information already furnished, and b) transfer the part of the Application to the appropriate SPIOs.

The Commission had also asked the BDO who had not dispose of the 1st Appeal dtd. 23.09.2016 in the capacity of 1st Appellate Authority to ensure that the SPIO complied with the said order. A complaint of non-compliance was received from the Appellants and an action taken report sought by the Commission. A letter dtd. 11.07.2017 was received from the BDO stating that Point Nos. 6 and 8 of the Application had been transferred to the SPIOs of Darrang Zilla Parishad and District Social Welfare Office respectively through a letter dtd. 20.05.2017. It was added that the documents available in the office in respect of other points had been provided to the Applicants already.

From the hearing of the SPIO and Appellants and perusal of the W/S, it emerged that the information in respect of Point No. 4 only has been acknowledged as complete by the Appellants, no information has been received from the Zilla Parishad and District Social Welfare Office and that the information in respect of the other points in the Application remains partial. In respect of some information/documents, the Appellants have been informed that these were not on record.

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

- a) The Appellants shall write to the SPIO clearly indicating the wanting information/documents point-wise within seven days of receipt of this order, and within 10 days of receipt of the said communication, the SPIO shall furnish the remaining information, free of cost, and indicate clearly the information/documents which are not available on record.
- b) As indicated above, the Commission had directed the BDO, Sipajhar Dev. Block in the order dtd. 22.02.2017 to ensure compliance of the order of the Commission in regard to furnishing of information. From his aforesaid letter dtd. 11.07.2017 and today's hearing, the Commission does not find any evidence of the BDO having done due diligence to comply with the provisions of the RTI Act, 2005 and orders of the Commission as regards furnishing of information to the Appellants and disposal of 1st Appeal in the capacity of 1st Appellate Authority and providing action taken report sought for by the Commission vide letter dtd. 29.04.2017. He is directed once again to review the action taken in respect of furnishing of

information and facilitate full response to the Appellants and compliance with the Commission's orders by his SPIO.

- c) The respective SPIOs of the offices of the Darrang Zilla Parishad and District Social Welfare Office, Darrang shall furnish the information to the Applicants within 10 days of receiving this order. They may note that they have failed to furnish the information within 30 days from the date of receipt of the Application from the SPIO, office of the BDO, Sipajhar Dev. Block as stipulated in the Act.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true Copy

Sd/-

Joint Registrar
Assam State Information Commission

Memo No. SIC/DRN.64/2016/21-A

Dtd. 02.08.2017

Copy to:

1. The SPIO, O/o the Block Dev. Officer, Sipajhar Dev. Block, Dist- Darrang, Pin- 784 144 for information and necessary action.
2. The First Appellate Authority/ Block Dev. Officer, Sipajhar Dev. Block, Dist- Darrang, Pin- 784 144 for information and necessary action.
2. The SPIO, office of the Chief Executive Officer, Darrang Zilla Parishad, Dist. Darrang, Assam for information and necessary action.
3. The SPIO, office of the District Social Welfare Officer, Darrang, Dist. – Darrang, Assam for information and necessary action.
4. Md. Makibur Rahman, S/o- Mansur Ali, Vill- Pipirakuchi, PO- Digimpara, PS- Sipajhar, Dist- Darrang, Pin- 784 144 for information.
5. Md. Ayub Ali, S/o Azizur Rahman, Vill. – Ramraipara, P.O. – Patharighat, P.S. – Sipajhar, Pin – 784 145 for information.
6. Computer Section for uploading in the Website.
7. Office File.

Joint Registrar

Assam State Information Commission

