



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

Case No. : SIC/DHR.83/2017
Appellant : Md. Taiyab Ali
Respondent : The SPIO, O/o the Assistant Settlement Officer, Dhubri Circle,
Dhubri
Date of hearing : 03.08.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
03.08.2017

The Appellant, Md. Taiyab Ali is present along with an assistant.

The SPIO is absent without information.

The SPIO/Assistant Settlement Officer, Dhubri Circle, Dhubri 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.

The First Appellate Authority/Settlement Officer, Dhubri 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.

As the Appellant is present and over four months have elapsed since it was due for the SPIO, the Commission decided to conduct the hearing process *ex parte* of the Public Authority.

Perused the case record. Not receiving the information he had sought for, the Appellant had filed First Appeal dated 28.04.2017 before the Settlement Officer, Dhubri. The Settlement Officer, Dhubri forwarded the First Appeal to the Assistant Settlement Officer, Dhubri Circle, Dhubri through his letter dated 28.04.2017 stating that the latter was the FAA in this case. Thereafter, the Appellant submitted his Second Appeal dated 15.06.2017 to the Commission stating that he had neither received the information nor any decision from the FAA and praying for facilitating furnishing of the information in addition to imposition of penal provisions under the RTI Act, 2005. The information sought for related to the land of a particular school. Considering that the Asstt. Settlement Officer is the legitimate custodian of records of the information sought for, the Commission hereby orders that the same shall be furnished to the Appellant, free of cost, within 10 days of receipt of this order.

The Commission further directs the SPIO/Assistant Settlement Officer, Dhubri Circle, Dhubri henceforth to furnish information timely to the information seekers under the said Act.

The Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to move this Commission, if he is aggrieved by the response of the SPIO.

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 Assistant Settlement Officer, Dhubri Circle, Dhubri, Assam for information and necessary action.
2. The First Appellate Authority/Settlement Officer, Dhubri, Assam for information.
3. The Appellant, Md. Taiyab Ali, S/o- Lt. Khaibar Ali, Vill- Rowa Pt. III, PO- Tiamari, PS & Dist- Dhubri, Pin- 783 325, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam State Information Commission

