

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

Case No. : SIC/KP(M).758/2017
Appellant : Shri Dulal Bora
Respondent : The SPIO, O/o the Chief Minister's Secretariat, Dispur
Date of hearing : 23.02.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
23.02.2018

Shri Niranjana Bose, Under Secretary to the Government of Assam/SPIO, Chief Minister's Secretariat, Dispur and Shri Prabal Jyoti Medhi, Senior Administrative Assistant are present. The SPIO submitted a Written Statement dated 22.02.2018.

The Appellant, Shri Dulal Bora is present.

Heard the SPIO and perused the Written Statement. It has been submitted that the Application for information dated 17.08.2016 has been transferred to the SPIO, office of the Environment & Forest Department, Government of Assam through a letter dated 22.02.2018, the holder of the information.

Heard the Appellant. He submitted that he has just received a copy of the said letter by which his Application has been transferred and stated that action on his Application has been taken now after so much of delay. He added that he has not received any decision/order on his First Appeal dated 22.05.2017 submitted to the same Public Authority.

From the above submission and perusal of the case record, it is evident that the SPIO has failed to take action on the Application for information within the time stipulated by the RTI Act, 2005 and such failures would attract penalties U/S 20 (1) of the said Act. The SPIO is hereby directed to henceforth provide information where information is held by the Public Authority or transfer the same to the appropriate Public Authority within the time stipulated by the said Act.

In view of the transfer of the Application for information, the SPIO of Environment & Forest Department, Government of Assam is now required to provide the information to the Appellant within the maximum period of 30 days as stipulated by the said Act. The Commission hereby orders that said SPIO act accordingly.

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

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

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Copy to:

1. The SPIO, O/o the Chief Minister's Secretariat, Dispur, Guwahati- 6 for information and necessary action.
2. The SPIO, O/o the Environment & Forest Department, Government of Assam, Dispur, Guwahati- 6 for information and necessary action.
3. The First Appellate Authority/Chief Minister's Secretariat, Dispur, Guwahati- 6 for information.
4. The Appellant, Shri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati- 781 022, Dist- Kamrup (M), Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.

Joint Registrar
Assam Information Commission