

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : SIC/DRN.41 /2018
Appellant : Md. Amir Hussain
Respondent : The SPIO, O/o the Child Development Project Officer,
Sipajhar ICDS Project, Pathorighat, Dist.- Darrang, Assam
Date of hearing : 13.09.2018
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

13.09.2018

The Appellant, Md. Amir Hussain is present.

The SPIO is absent without information. He 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.

A Written Statement dated 04.09.2018 has been received from the District Social Welfare Officer, Darrang, Mangaldai.

Perused the Written Statement. The DSWO, Darrang, Mangaldai has conveyed his apology for absence on account of the ongoing NRC work, and has submitted that in disposing of the First Appeal dated 11.05.2018, the CDPO, Sipajhar ICDS Project instructed to provide the information.

Perused the case record. The Appellant had filed his Second Appeal being aggrieved at not receiving the information sought for by him from the SPIO through his RTI Application dated 02.04.2018. He had sought for information from the SPIO relating to 2 (two) staff members of the ICDS Project.

Heard the Appellant. He submitted that he had not received the information he had sought for. However, he had received the letter dated 06.09.2018 from the CDPO, Darrang, Mangaldai stating that an amount of Rs. 940/- (Rupees nine hundred forty) was required towards cost of photocopying voluminous records. He had been requested either to bear the cost of photocopying or inspect the records in office. He further submitted that he had not received the letter dated 14.06.2018 which is stated to have been written to him regarding the said cost of photocopying.

Perusal of the copies of the letters received by the Appellant and submitted to the Commission indicates that no estimate has been provided for the cost of photocopying as required by the RTI Act, 2005. It is further observed that the SPIO could not furnish the

information within the 30-day stipulated by the Act as the first letter dated 14.06.2018 was itself much delayed. The SPIO has not submitted any evidence of dispatch of the said letter to

the Appellant. The SPIO is therefore required to furnish the information free of charge under the Act. Further, from the RTI Application it does not appear to be as voluminous as cost of photocopying requested for suggests.

In view of the facts brought out above, **the Commission hereby orders that the SPIO shall furnish the information to the Appellant, free of cost, within 15 days of receiving this order.**

The Second Appeal is hereby disposed of.

Sd/-

Pinuel Basumatary IA & AS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/DRN.41 /2018

Dtd.13.09.2018

Copy to:

1. The SPIO, O/o the Child Development Project Officer, Sipajhar ICDS Project, Pathorighat, Dist.- Darrang, Assam for information and necessary action.
2. The First Appellate Authority/office of the District Social Welfare Officer, Darrang, Mangaldai, Dist.- Darrang, Assam for information.
3. The Appellant, Md. Amir Hussain, S/o- Lt. Asharuddin Ahmed, Vill & PO- Santipukhuri, PS- Sipajhar, Dist.- Darrang, Assam, Pin- 784 144 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission