



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

Case No. SIC/DMJ.53/2018
 Complainant/ Appellant Sri Romen Gohain.
 Respondent : SPIO of the office of the District Social Welfare, Dhemaji
 Date of hearing 29.04.2019
 Complaint/ Second : Shri Pinuel Basumatary, IA & AS (Retd)
 Appeal heard by State Information Commissioner, Assam

O R D E R

29.04.2019

The SPIO is absent without any information.

Appellant is present. He submitted a written statement (WS) with today's date.

Perused the case records. The appellant had submitted his second appeal dated 7.9.2018 stating that he had not received the information sought for by him through RTI Application dated 7.5.2018 and no decision from the First Appellate Authority/ the DSWO, Dhemaji.

Heard the appellant and perused his WS. He is aggrieved that he has not received the information although it is almost one year since he submitted his RTI Application. He was unable to meet the SPIO or any responsible official when he visited the office several times. He complained of harassment and financial loss in having to travel to Guwahati from Dhemai and staying overnights. He has therefore prayed for compensation of loss under Section 19(8)(b) of RTI Act, 2005 under various items, i.e., bus fare, hotel rent, etc. amounting to Rs.1984/-. He has submitted photocopies of the cash memos/receipts etc. in this regard. He further submitted that he would make further claims if he would be required to attend more hearings in the Commission for non-compliance by the SPIO.

The SPIO is not only absent from today's hearing but has also not submitted any written statement to apprise the Commission about the action taken, if any, to furnish the information. The First Appellate Authority too has not apprised the Commission about the steps he might have taken to dispose of the First Appeal within stipulated time as sought for by the Commission through its hearing notice dated 25.3.2019.

Considering the above facts, the Commission hereby passes the following directions :-

- i) The SPIO shall furnish the information/authenticated copies of the documents free of cost to the appellant within 10 (ten) days of receipt of this order;
- ii) The SPIO shall furnish an action taken report to this Commission within 15 (fifteen) days of receipt of this order and inform the Commission his name and designation and also name and designation of the 1st Appellate Authority.
- iii) The DSWO, Dhemaji shall ensure that his PIO comply fully with this order.

The issue of allowing compensation of loss, imposition of penalty on the SPIO and/or recommendation of disciplinary action on the SPIO shall be considered if a complaint of non-compliance is received from the appellant.

The case will be disposed of if a satisfactory report is received from the SPIO as ordered above.

Sd/-
(PINUEL BASUMATARY)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.
Sd/-
Jt. Registrar
Assam Information Commission

Memo No. SIC/DMJ.53/2018

Dated 29.04.2019

Copy to:

1. The SPIO of the office of the District Social Welfare Officer, Dhemaji for information. and necessary action.
2. The First Appellate Authority, office of the District Social Welfare Officer, District Dhemaji for information.
3. Sri Romen Gohain, Vill – Lachit Nagar, P.O. Khubalia, Dist. Dhemaji, Assam.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Jt. Registrar
Assam Information Commission