



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

Case No. : SIC/GLP.50/2012  
Appellant : Md. Salim Ahmed  
Respondent : The PIO, O/o the Project Director, DRDA, Goalpara  
Date of hearing : 20.04.2016  
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam

**ORDER**  
05.01.2017

Both parties are absent. No written statement received.

In view of the large number of cases pending before this Commission, the Complaint petition dated 20.11.2013 is taken up for consideration on merit, base on record.

The petitioner Md. Salim Ahmed filed an RTI petition before the Project Director, DRDA, Goalpara on 24.11.2010 which was transferred to the B.D.O. Balijana/Lakhipur/ Jaleswar Development Block on 07.12.2010. The petitioner filed the First Appeal before Project Director, DRDA, Goalpara on 18.01.2011, who referred the same to BDO, Balijana/Jaleswar Development Block to furnish information. The petitioner filed reminder to the First Appellate Authority on 20.04.2011 and finally Second Appeal dated 14.06.2011 before this Commission which was forwarded to the PD, DRDA, Goalpara for disposal within 30 days and submit a report to the Commission vide letter dated 19.11.2011 and 07.01.2012.

The petitioner filed a complaint petition dated 12.01.2012 before the Commission and the Commission directed the Project Director, DRDA, Goalpara to submit a compliance report to the petitioner immediately vide letter dated 09.02.2012.

The B.D.O. Balijana vide letter dated 22.02.2012 directed the petitioner to deposit an amount of Rs. 1,20,000/- only approximately to the office for charge of photocopying of all the documents.

The petitioner filed the complaint petition again on 03.04.2012 for non compliance. The Commission issued a show cause notice to the SPIO, Jaleswar Development Block, Goalpara on 18.01.2013 as to why penalty under section 18(1) of the RTI Act, 2005 shall not be imposed on him/her for failure to provide the information to the appellant within the stipulated period of 30 days and fixed 14.02.2013 for hearing.

The Project Director, DRDA, Goalpara sent a WT message informing that he would not be able to appear for hearing as Panchayat Election was re-scheduled 14.02.2013. He, therefore, requested to fix another date of hearing. Notice was issued again on 12.02.2013 directing the SPIO, O/o the BDO, Jaleswar Development Block to appear on 01.03.2013 since the SPIO failed to appear on 01.03.2013. Summon was issued by the Commission on 18.05.2013 to appear on 13.06.2013. The SPIO informed that due to acute chest pain he would not be able to attend the hearing.

The Commission vide letter dated 24.07.2013 referred the matter to the Project Director, DRDA, Goalpara to submit information within 30days on the following :

- I. Whether there is any SPIO designated for the office of the BDO, Jaleswar Development Block, Goalpara.
- II. Whether the RTI Application dated 07-12-2010 was received by the SPIO in the office of the BDO, Jaleswar Development Block, Goalpara.
- III. What action had been taken after receipt of the RTI Application?
- IV. Whether the BDO, I/c of Jaleswar Development Block is suffering from any medical problems, if so, a medical certificate to be submitted.

The Project Director, DRDA, Goalpara vide letter dated 14.08.2013 informed that i) Sri Abdul Malik, Accountant, Jaleswar Development Block is the designated SPIO; ii) the RTI petition was dispatched on 09.12.2010; iii) no action taken report was receipt from the SPIO; and iv) The medical certificate furnished by the BDO that he was under treatment from 01.06.2013 to 30.06.2013 along with a medical prescription of Apollo Hospital dated 06.06.2013 enclosed.

The petitioner informed the Commission on 20.11.2013 that he had not received any information form Project Director, DRDA, Goalpara on the RTI application he had filed. Accordingly, notice was issued on 14.03.2016 fixing a date of hearing on 20.04.2016.

In the absence of the petitioner and no written communication from him and the Public Authority in today's hearing, it could not be ascertained whether the information had been furnished to the petitioner subsequent to the issue of the hearing notice dated 14.03.2016.

Under the circumstances, the SPIO is directed to furnish the information as sought for by the petitioner within a period of 30 days from the date of receipt of this order, if not already done.

With the above direction, the Appeal and Complaint petition is disposed of.

Sd/-  
Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Deputy Registrar  
Assam Information Commission

Memo No. SIC/ GLP.50/2012/ -A Dtd. 20.04.2016.

Copy to:

1. The SPIO, Office of the Block Development Officer, Jaleswar Development Block Goalpara, P.O. Jaleswar, Dist. Goalpara, Assam Pin – 783 132, for information and necessary action.
2. The First Appellate Authority/ Project Director, DRDA, Goalpara, Dist. Goalpara Pin – 783 101, for information.
3. Md. Salim Ahmed, S/o Late Foyez Uddin, Vill.- Bauluri, Po.- Chirakuti, Dist.-Dhubri, Assam Pin – 783 129, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission