

## RIGHT TO



## OFFICE OF THE ASSAM INFORMATIONS COMMISSION JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037 : SIC/SSM.5/2019 llant : 1. Sri Nozrul Islam

Case No Complainant/ Appellant

Respondent

Date of hearing Complaint/ Second Appeal heard by Date of order SIC/SSM.5/2019
1. Sri Nozrul Islam
2. Sri Mominul Islam
SPIO, office of the BDO, Fekamari Dev. Block, Fekamari Dist- South Salmara Mankachar, Assam, PIN-783135
20.1.2020
Nilufer Alam Hazarika, IAS (Retd.) State Information Commissioner, Assam
20.1.2020

## <u>O R D E R</u> 20.1.2020

The petitioners Sri Nozrul Islam and Sri Mominul Islam are present. The public authority to be represented by the SPIO, office of the E.O. Fekamari Anchalik Panchayat and the First Appellate Authority to be represented by the Deputy Commissioner, South Salmara are absent.

The BDO/FAA Fekamari Development Block vide letter dated 14.1.2020 has informed the Commission that the RTI petition filed by the appellant dated 6.10.2018 was received and accordingly vide letter dated 31.10.2018 the petitioner was informed that information sought for vide point No. I to XII are not provided due to restriction in Section 4(4), 4(5), 4(7), 4(8) and 4(10) of the RTI Act, 2005, issued from the State Rural Dev. Institution of Assam, Khanapara. On receipt of the first appeal petition dated 3.12.2018 the petitioner was again informed of the same vide letter dated 26.12.2018.

The petitioner submitted a complaint petition before the Commission on 26.4.2019 stating that the Section mentioned in the reply of PIO are not found restricted in the RTI Act, 2005 but till date no information has been received.

The Commission therefore directs the public authority to substantiate their claim that the sought for information is not admissible within 21 days from the date of receipt of this order. If they are unable to substantiate they will furnish the information to the petitioner within 21 days.

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

Authenticated true copy.

Sd/-Joint Registrar Assam Information Commission

## Memo No. SIC/SSM.5/2019

Copy to:

- 1. The SPIO, Office of the BDO, Fekamari Dev. Block, Fekamari, Dist- South Salmara Mankachar, Assam, PIN-783135 for information and necessary action.
- 2. The First Appellate Authority, Office of the Deputy Commissioner, P.O- Hatsingimari, P.S- South Salmara, Dist- South Salmara Mankachar, Assam, PIN-783135 for information and necessary action.
- 3. The Petitioner, Sri Nozrul Islam, S/O- Sahib Uddin Sk, Vill- Fattapara, P.S.- Sukchar, Dist- South Salmara Mankachar, PIN-783128 for information.
- 4. The Petitioner, Sri Mominul Islam, S/O- Joynal Abedin, Vill- Fulerchar Part-II, P.O- South Salmara, Dist- South Salmara Mankachar, PIN-783135 for information.
- 5. Computer Section for uploading in the website.
- 6. Office File
- 7. Order Book

Joint Registrar Assam Information commission