

Case No. : SIC/ NLB.17/2018
Appellant : Sri Chandmahammad Pradhani
Respondent : The SPIO, Office of the Asstt. Executive Engineer (PHE), Belsor
Sub-Division, Belsor, Dist. Nalbari, Assam
Date of hearing : 28-2-2019
Second Appeal heard by : Nilufer Alam Hazarika, IAS(Retd.)
State Information Commissioner, Assam

O R D E R**28-2-2019**

The petitioner Sri Chandmahammad Pradhani is present.

The Public authority to be represented by the SPIO, O/o the Executive Engineer, PHE, Belsore Sub-division, Nalbari is absent.

The Commission vide order dt. 21-5-2018 had directed the SPIO, O/o the Executive Engineer, PHE, Belsore to furnish the information sought for by the petitioner within 30 days from the date of receipt of the order. If for any reason he was unable to comply with the order, he was directed to make a written submission stating reasons thereof before the Commission within 30 days from the date of receipt of the order.

On perusal of record it is seen that the 1st Appellate authority vide letter dt. 28-6-2018 directed the Asstt. Executive Engineer, PHE, Belsore to furnish the information sought for by the applicant within 5 days from the date of issue of the letter. The petitioner filed a non-compliance petition before the Commission dt. 28-9-2018. The Commission vide letter dt. 26-11-2018 sought for action taken report on the complaint petition within 10 days from the date of receipt of the letter. The petitioner filed a further complaint on 28-12-2018 that no information was furnished by the Public authority till date.

The Commission observes that the Public authority is guilty for non-furnishing of information to the petitioner which is clearly admissible under the RTI Act, 2005. The Commission therefore directs the SPIO, O/o the Asstt. Executive Engineer, PHE, Belsore to show cause as to why penalty U/S. 20(1) of the RTI Act, 2005 shall not be imposed on him for non-compliance of orders of the Commission dt. 21-5-2018 and 26-11-2018 and for his unauthorized absence at the time of hearing today.

The written submission should reach this Commission within 15 days from the date of receipt of this order.

Fix on 27-3-2019 at 1 P.M. for next hearing.

Sd/-

(NiluferAlamHazarika, IAS(Retd.))

State Information Commissioner, Assam

Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar

Assam State Information Commission

Memo No. SIC/ NLB.17/2018

Dtd. 28-2-2019

Copy to:

1. The SPIO, Office of the Asstt. Executive Engineer (PHE), Belsore Sub-Division, Belsor, Dist. Nalbari, Assam for information and necessary action.
2. The First Appellate Authority/ Executive Engineer (PHE), Belsore Sub-Division, Belsor, Dist. Nalbari, Assam, Pin – 781334 for information and necessary action.
3. The petitioner Sri Chandmahammad Pradhani, S/O Sri Sirajul Haque, Vill. & P.O. Banpur, P.S. Mukalmua, Dist. Nalbari, Assam, Pin – 781138, M/No. 7663047717 for information.
4. Computer Section for uploading in the Website.
5. Office File.



Joint Registrar

Assam State Information Commission