

Case No. : SIC/ SSM 5/2020
Complainant/ Appellant : Razibul Islam Mondal
Respondent : SPIO of the Office of the Gotabari Khopatia G.P
Date of Hearing : 18-12-2020
Complaint/ Second : Dr. A.P.Rout, IPS(Retd)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
18-12-2020

1. The petitioner Razibul Islam Mondal is present.
2. The petitioner vide his RTI application dated 16.10.2019 has sought following information:
 - (a) To furnish the copy of Plan & Estimates of every works against River Protection through the Gotabari Khopatia G.P from 1/1/2010 to till date.
 - (b) To furnish the work progress report done by the authority concerned (Technical Person) of each work of River Protection of said G.P from 01/01/2010 to till date.
 - (c) To furnish the work completion/clearance certificate of each works of River Protection of the said G.P from 01/01/2010 to till date.
 - (d) To furnish the pin point of work of River Protection in the said G.P from 01/01/2010 to till date.
 - (e) To furnish the sanctioned amount of each works of River Protection of the said G.P from 01/01/2010 to till date.
 - (f) To furnish the copy of Master Roll Registers, Employment Registers if any if the River Protection work done through Job Card under MGNREGA in the said G.P under MGNREGA from 01/01/2010 to till date.
 - (g) To furnish the copy of work orders of each and every work of River Protection of the said G.P from 01/01/2010 to till date.
 - (h) To furnish the copy of scheme wise cash book maintain by the authority concerned of the said G.P in respect of River Protection works from 01/01/2010 to till date.
3. On failure to furnish the information within stipulated time the petitioner then filed 1st appeal petition dated 18/11/2019 before the 1st Appellate Authority of B.D.O Fekamari Development Block, Fekamari. The 1st Appellate Authority on its letter dated 11/12/2019 directed the Secretary of Gotabari Khopatia GP to furnish the information to the petitioner within 10 days from the date of issue of letter.
4. On not getting any reply, the petitioner then filed 2nd before the Commission on 4.1.2020. Accordingly a date of hearing was fixed by the Commission on 17.11.2020 at 12:15 P.M vide notice no.SIC/SSM.5/2020/11

dated 27/11/2020 to hear the matter. But SPIO of Gotabari Khopatia G.P remain absent on that particular date because of which the Commission directed the SPIO to submit written affidavit for not furnishing the information to the appellant within stipulated time and to remain present on the next date of hearing.

5. Accordingly next date of hearing was fixed today i.e., 18.12.2020 vide Commission order no. SIC/SSM 5/2020 but SPIO of the Office of Gotabari Khopatia G.P remain absent without intimation. Hence the matter cannot be heard.
6. However, the SPIO of Gotabari Khopatia G.P has neither complied with the Commission's order dated 17.11.2020 to personally appear before the Commission today at 11:30 A.M nor he made any written submission as to why penalty u/s 20(1) shall not be imposed on him. He has also not reported to the Commission whether he has complied with the Commission's earlier direction dated 17.11.2020. As such it appears to be a case of non-compliance of the Commission's order by the SPIO of Gotabari Khopatia G.P.
7. Since he could not be heard personally in spite of repeated communication, **the Commission decides to impose on him a penalty of Rs 10,000/- (Ten Thousand).However, he is given one more chance to explain why the penalty should not be imposed on him. He is therefore directed to file a written affidavit in this regard within 10 days of receipt of this order.**

Sd/-
Dr. A.P.Rout

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/SSM 5/2020

Dated: 18-12-2020

Copy to:

1. Sri Foyzal Hoque Sarkar, SPIO of the Office of Gotabari Khopatia Gaon Panchayat for information and necessary action as ordered above.
2. The petitioner Razibul Islam Mondal, S/O – Aynul Islam Mondal Vill.- Gotabari, P.O- Hazirhat, P.S- Sukchar, Dist.- South Salmara Mankachar, Assam for information.
3. Computer section for uploading in the website
4. Office File
5. Order Book

Secretary & Registrar
Assam Information Commission