



OFFICE OF THE

ASSAM INFORMATION COMMISSION**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/HLK.39/2020
 Appellant : Sri Abul Hussain Laskar
 Respondent : The SPIO, O/o the Deputy Commissioner (FCS & CA),
 Hailakandi
 Date of hearing : 11.02.2021
 Second Appeal heard by : Sri Kanak Ch. Sarma
 State Information Commissioner, Assam

O R D E R

11.02.2021

The appellant is absent but informs the Commission through e-mail dated 10.02.2021 that he is unable to attend today's hearing due to illness. Further, he informs that he has not received any information till date.

The Addl. Deputy Commissioner and 1st Appellate Authority, DC's office, Hailakandi submits an affidavit vide letter no. HRI.2/2016/Pt-I dated 10.02.2021. The Asstt. Director, FCS & CA, Hailakandi submits one written statement vide letter no. HS.29/2019/402 dated 10.02.2021. All these documents are entered into the case record.

Seen the case record and 2nd appeal petition. The appellant Sri Abul Hussain Laskar submitted one petition under the RTI Act, 2005 dated 30.01.2020 before the PIO, DC's office, Hailakandi seeking certain informations. The Asstt. Director, FCS & CA, Hailakandi on receipt of the RTI application transferred the same to proprietor of M/s M.R. Saha, S.K. Oil depot, Hailakandi under section 6(3) of the RTI Act, 2005. For non-receipt of the informations in due course of time the appellant preferred 1st appeal dated 13.03.2020 but he did not get the sought for informations and as such, submitted 2nd appeal dated 16.06.2020 before the Commission.

From the written statement of Asstt. Director, FCS & CA, Hailakandi and the affidavit of the ADC-cum-FAA, DC's office, Hailakandi, it is seen that the application was transferred to the Proprietor of M/s M.R. Saha, S.K. Oil depot, Hailakandi to furnish the sought for informations within 15 days of receipt of the application but the Asstt. Director did not apply his mind while transferring the application as one S.K. oil depot. is not a public authority and the proprietor of the S.K. oil depot. has no responsibility to reply to applicant under the RTI Act, 2005. Therefore, **the Commission directs the Asstt. Director, FCS & CA, Hailakandi to collect the informations and furnish it to the appellant within 15 days of receipt of this order, free of cost. The 1st Appellate Authority is directed to take action as per provision of RTI Act, 2005 timely in future.**

With the above directions, the 2nd appeal dated 16.06.2020 is disposed of.

Sd/-

(Kanak Ch. Sarma)

State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Secretary & Registrar
Assam Information Commission

Copy to:

1. The Asstt. Director, FCS & CA Hailakandi, Dist.- Hailakandi, Assam, Pin- 788 162 for information and necessary action.
2. The SPIO, O/o the Deputy Commissioner (FCS & CA), Hailakandi, Dist.- Hailakandi, Assam, Pin- 788 162 for information and necessary action.
3. First Appellate Authority/ Deputy Commissioner, Hailakandi, Dist.- Hailakandi, Assam, Pin- 788 162 for information and necessary action. He is directed to take action as per provision of RTI Act, 2005 timely in future.
4. The Appellant, Sri Abul Hussain Laskar, S/o- Lt. Abdul Musabbir Laskar, Vil & PO- Brajapur Pt-II, Dist.- Hailakandi, Assam, Pin- 788 155 for information.
5. Computer Section for uploading the order in the Website.
6. Office File.

Secretary & Registrar
Assam Information Commission