

Case No. : SIC/KAN.5/2021.
Complainant/ Appellant : Mr. Mangal Sing Lekthe.
Respondent : The SPIO, O/o the Deputy Director of Town & Country Planning, Diphu, Karbi Anglong, PIN Code 782460, Assam.
Date of Hearing : 30-09-2021
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
30-09-2021

1. The appellant Mr. Mangal Sing Lekthe, is absent. But he has sent a message over telephone that he is unable to attend today's hearing due to some unavoidable circumstances.
2. The SPIO, O/o the Deputy Director of Town & Country Planning, Diphu, Karbi Anglong, is absent. The FAA and Director, Town & Country Planning, Assam, Dispur, Shri Nagen Kalita, is present. He has also submitted copy of a letter No. TP/ESP/14/2013/212 written to the appellant dated 18.09.2020, informing him that the Director Town & Country Planning is not the FAA and the Deputy Director, Town & Country Planning, Diphu, being a separate Public Authority, is also the FAA.
3. The brief of the case is that the appellant Shri Mangal Sing Lekthe, submitted one RTI application on 23.07.2020, to the SPIO, O/o the Deputy Director, Town & Country Planning, Diphu, seeking certain informations related to 'Sectoral Allocation for the Financial Year 2019-20 amounting to Rs 452.00 Lakhs including the 7.5% Administrative Charges for the same year ending under the authority of KAAC, Diphu'. On not getting any response, he submitted a 1st Appeal in the O/o the Director, Town and Country Planning, Assam, Dispur, on 03.09.2020. He submitted a complaint on 12.02.2021, to the Commission stating that he had received no information from the SPIO against his RTI application dated 23.07.2020.
4. **During today's hearing held in the absence of the appellant/complainant, it has become evident that the SPIO has not provided him information sought. But since nothing has been heard from the SPIO, in this respect, and that the SPIO is absent today without any intimation, the Commission directs the SPIO to submit a written statement mentioning the date of receipt of the RTI application by him/her and the date of furnishing the sought for information to the RTI applicant, if he/she have already furnished the information. If not, his/her written statement should also explain why penalty under Section 20 (1) of the RTI Act, 2005 shall not be imposed on him/her for his/her failure to furnish the sought for information within the stipulated time period. The written statement shall be submitted within 15 (fifteen) days from the receipt of this order.**
5. Since the Director, Town & Country Planning, Assam, in today's hearing informed that the Deputy Director, Town & Country Planning, Diphu, itself is a FAA, hence the FAA and Deputy Director, Town & Country Planning, Diphu, is directed to take necessary steps to ensure that the SPIO carries out this order without fail. The

FAA/Deputy Director, is also directed to apprise the Commission about the compliance of this order by the SPIO within the already mentioned 15 (fifteen) days.

6. With the above order, this 2nd Appeal is hereby disposed of.

Sd/-
(Samudra G. Kashyap)
State Information Commissioner,
Assam.

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KAN.5/2021

Dated: 30-09-2021

Copy to:

1. The SPIO, O/o the Deputy Director of Town & Country Planning, Diphu, Karbi Anglong, PIN Code 782460, Assam, for information and necessary action.
2. First Appellate Authority/ O/o the Deputy Director of Town & Country Planning, Diphu, Karbi Anglong, PIN Code 782460, Assam, for information and necessary action.
3. The petitioner, Mr. Mangal Sing Lekthe, Rongmarjong, Mentilla area, W/No 5, P.O. Diphu Govt. College, Diphu, Karbi Anglong, PIN Code 782462 Assam, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.


Secretary & Registrar
Assam Information Commission.