

Case No. : SIC/NGN.11/2021
Complainant/ Appellant : Md. Fakhar Uddin Ali Ahmed.
Respondent : The SPIO, O/o the BDO, Lawkhowa Development Block, Distt. Nagaon, Assam.
Date of Hearing : 20-01-2022
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
20-01-2022

1. Due to the prevailing Covid pandemic situation, the hearing was held through telephonic conference.
2. The appellant Md. Fakhar Uddin Ali Ahmed is present in the hearing through telephonic conference.
3. Shri Parikhit Das, Assistant BDO, Lawkhowa Development Block, Distt. Nagaon is present through telephonic conference.
4. From records it is seen that the appellant Md. Fakhar Uddin Ali Ahmed, had sought information related to grants received from the Char Unnayan Board for the year 2011, 2012 and 2013 by Lawkhowa Development Block, and the list of beneficiaries of the schemes implemented under the Char Unnayan Board grants during the above-mentioned 3 (three) years. While Md. Fakhar Uddin Ali Ahmed had submitted the said RTI application to the SPIO, O/o the Deputy Commissioner, Nagaon, the latter transferred the same to the BDO, Lawkhowa Development Block on 21.10.2020. On not receiving any informations the appellant Md. Fakhar Uddin Ali Ahmed submitted a 1st Appeal in the O/o the Deputy Commissioner, Nagaon on 09.12.2020. On 08.01.2021 the BDO, Lawkhowa Development Block, informed the appellant Shri Fakahar Uddin Ali Ahmed vide letter No. LDB/RTI/62/2007-19/673 that the informations sought by the appellant were not available because the former BDO had not handed over all the required information at the time of his departure. Following this the appellant Md. Fakhar Uddin Ali Ahmed submitted a 2nd Appeal before this Commission.
5. During today's hearing Shri Parikhit Das, Assistant BDO, Lawkhowa Development Block, stated that the informations sought by the appellant Md. Fakhar Uddin Ali Ahmed are not available in the BDO's office and that he had contacted the former BDO who had allegedly not handed over all the required information at the time of his departure.
6. **Since the statement of the Assistant BDO Shri Parikhit Das during today's hearing stated that his predecessor BDO had not handed over required information, hence the Commission considers it a serious matter and draws the attention of the Secretary/Commissioner, Panchayat & Rural Development Department, Govt. of Assam, to this, so that necessary enquiry and action, as applicable, are taken in this regard.**
7. **The SPIO/BDO, Lawkhowa Development Block is directed to do the needful and furnish the informations to the appellant Md. Fakhar Uddin Ali Ahmed within 21 (twenty-one) days from the date of receipt of this order, free of cost. The SPIO/BDO, Lawkhowa Development Block is also once again directed to submit a written**

statement explaining why penalty under Section 20 (1) 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 should reach the Commission within 7 (seven) days from the date of receipt of this order.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/NGN.11/2021

Dated: 20-01-2022

Copy to:

1. The SPIO, O/o the BDO, Lawkhowa Development Block, Distt. Nagaon, Assam, for information and necessary action.
2. The Commissioner, Panchayat & Rural Development Department, Govt. of Assam, Juripar, Panjabari, Guwahati, PIN Code 781037, for information and necessary action.
3. First Appellate Authority/ O/o the Deputy Commissioner, Nagaon, Assam, for information.
4. The petitioner, Md. Fakhar Uddin Ali Ahmed, Advocate, Nagaon Bar Association, Nagaon, PIN Code 781001 Assam, for information.
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.


Secretary & Registrar
Assam Information Commission.