

Case No. : SIC/KP(M).331/2021  
Complainant/ Appellant : Shri Rizwan Choudhury.  
Respondent : The SPIO, O/o the Executive Officer, Hailakandi  
Municipal Board, P.O. & Dist. Hailakandi, Assam.  
Date of Hearing : 11-03-2022  
Complaint/ Second  
Appeal heard by : Dr. Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**11-03-2022**

1. The appellant Shri Rizwan Choudhury is absent. But he has authorized Shri M.I. Choudhury to attend the hearing on behalf of him. Accordingly Shri M.I. Choudhury is present and he has submitted a letter of authority and a photocopy of his Aadhar Card as I-Card.
2. The SPIO, O/o the Executive Officer, Hailakandi Municipal Board, P.O. & Dist. Hailakandi, Assam, is absent without any intimation. The hearing is taken up despite the absence of the SPIO.
3. From perusal of records it is seen that the appellant Shri Rizwan Choudhury had submitted one RTI application to the SPIO, O/o the Executive Officer, Hailakandi Municipal Board, Dist Hailakandi, on 20.04.2021 seeking three informations related to construction of a building by allegedly violating municipal rules. While the SPIO, Hailakandi Municipal Board, failed to dispose the RTI application within the stipulated period as laid down in the RTI Act, 2005. Shri Rizwan Choudhury submitted a 1<sup>st</sup> Appeal to the Deputy Commissioner, Hailakandi, on 23.08.2021. On not receiving any response from the FAA, O/o the Deputy Commissioner, Hailakandi, Shri Rizwan Choudhury preferred a 2<sup>nd</sup> Appeal in this Commission on 25.10.2021.
4. **In view of the above, the SPIO, O/o the Executive Officer, Hailakandi Municipal Board is directed to furnish the sought for information free of cost to Shri Rizwan Choudhury within 15 (fifteen) days from the date of receipt of this order. The SPIO is also directed to submit a written statement to the Commission explaining why penalty under Section 20 (1) of the RTI Act 2005 shall not be imposed on him/her for his/her alleged failure to furnish the sought for information within the stipulated period. The written statement should reach the Commission within 15 (fifteen) days from the date of receipt of this order.**
5. **A copy of this order be marked to the Deputy Commissioner, Hailakandi, for information and necessary action.**
6. With the above order this 2<sup>nd</sup> Appeal is hereby disposed of.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).331/2021**

**Dated: 11-03-2022**

Copy to:

1. The SPIO, O/o the Executive Officer, Hailakandi Municipal Board, P.O. & Dist. Hailakandi, Assam, PIN Code 788151, for information and necessary action.
2. The Deputy Commissioner, Hailakandi, P.O. & Distt. Hailakandi, Assam, PIN Code 788151, for information and necessary action.
3. First Appellate Authority/ O/o the Deputy Commissioner, Hailakandi, P.O. & Distt. Hailakandi, Assam, PIN Code 788151, for information.
4. The petitioner, Shri Rizwan Choudhury, Hayat Apartment, Flat No.3A, Islampur Road, Nehru Stadium, Gate no.12, Ulubari, Guwahati, PIN Code 781007, Assam, for information.
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.



Secretary & Registrar  
Assam Information Commission.