

Case No : SIC/CCR.44/2019
Complainant/ Appellant : Shri Umashankar Singh.
Respondent : The SPIO, O/o the BDO, Sonai Development Block, Vill. Sonai, Dist. Cachar, Assam, PIN Code-788006.
Date of Hearing : 16-03-2021
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam.

O R D E R
07-04-2021

1. The appellant Shri Umashankar Singh is absent. But he has sent a letter to the Commission informing about his inability to attend the hearing due to some personal problem. He also informed that he has not received any information till date despite clear orders from the Commission issued on 17.12.2019 itself.
2. The SPIO, O/o the BDO, Sonai Development Block, is absent without any intimation.
3. From perusal of records it is seen that complainant Shri Umashankar Singh had submitted one RTI application to the BDO, Sonai Development Block, on 22.04.2019. After not receiving any response, he filed a complaint in this Commission on 29.09.2019. The Commission took up the matter and fixed a hearing on 20.11.2019, in which both parties were absent. Following this the next hearing was held on 17.12.2019, in which the Commission passed an order directing the BDO, Sonai Development Block, to do the needful and directing the petitioner to file separate RTI petitions to the Secretaries of all G.Ps under jurisdiction of the Sonai Development Block. On 05.02.2020, the appellant Shri Umashankar Singh, submitted a complaint to the Commission that he had not received any information despite approaching the BDO several times. Responding to this complaint, the Commission on 03.03.2020, directed the SPIO, O/o the BDO, Sonai Development Block, to submit an Action Taken Report on the Commission's order of 17.12.2019, within 10 (ten) days from the receipt of that letter. Responding to this the BDO, Sonai Development Block vide letter No. SDB.5/RTI/2017-18/396 dated 19.03.2020, informed the Commission that his office was unable to provide information to the complainant Shri Umashankar Singh because of various reasons including that the informations pertaining to various schemes, materials and copies of various grievances under Panchayat and Rural Development Programme in all the G.Ps under Sonai Development Block, will be voluminous in nature. Despite that however, the BDO, Sonai Development Block, informed the Commission that he would provide the information sought for by Shri Umashankar Singh on a priority basis by maintaining its serial numbers or as suggested by the applicant or to visit the Department's website, whichever may be allowed by the Commission. Following this the complainant submitted yet another complaint in this Commission on 01.09.2020, stating that he was not yet provided any information.
4. In view of the above, the Commission recalls its order dated 17.12.2019, and directs the BDO, Sonai Development Block, to ensure that the complainant is provided all the

information available without any fail within 21 (twenty-one) days from receipt of this order, failing which the Commission will be compelled to invoke Section 20 of the RTI Act, 2005 and impose penalty on the SPIO, O/o the BDO, Sonai Development Block, and/or recommend disciplinary action under the service rules applicable to him/her.

5. This matter will be closed on receipt of Action Taken Report from the SPIO, O/o the Sonai Development Block, Distt. Cachar, for which he was directed by this Commission vide its letter No. SIC/CCR.44/2019/14 dated 03.03.2020, which has not been adhered to. The SPIO, O/o the Sonai Development Block, Distt. Cachar shall submit the Action Taken Report on or before 25.04.2021.
6. A copy of this order may be sent to the Commissioner, Panchayat & Rural Development, Govt. of Assam, for information and necessary action.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission.

Memo No. SIC/CCR.44/2019

Dated: 07-04-2021

Copy to:

1. The SPIO, O/o the BDO, Sonai Development Block, Vill. Sonai, Dist. Cachar, Assam, PIN Code-788006, for information and necessary action.
2. The petitioner, Shri Umashankar Singh, Vill.Meherpur, Near LIC Div Officer, Dist.Cachar, Assam, PIN Code. 788015, for information.
3. The Commissioner, Panchayat & Rural Development, Govt. of Assam, Juripar, Panjabari Road, Guwahati, PIN Code. 781022, for information and necessary action.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.

Secretary & Registrar
Assam Information Commission.