

Case No. : SIC/KAN.44/2020
Complainant/ Appellant : Shri Gulson Bey
Respondent : SPIO, Office of the Karbi Anglong
Autonomous Council, Diphu, Karbi Anglong,
PIN-782460, Assam.
Date of Hearing : 08-03-2021
Complaint/ Second
Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
08-03-2021

1. The appellant Shri Gulson Bey is absent without any intimation.
2. The SPIO, O/o the Karbi Anglong Autonomous Council, Diphu, Karbi Anglong, Assam, is absent without any intimation.
3. From perusal of records it is seen that the appellant Shri Gulson Bey had submitted one RTI application to the SPIO, O/o the Development Commissioner for Hill Areas, Assam, on 22.10.2019. He had sought information under 3 (three) heads related to upgradation of a Civil Hospital at Hamren and construction of a Community Health Centre at Longnit Natun Bazaar. under National Health Mission. The SPIO, O/o the Development Commissioner for Hill Areas of Assam, Dispur, Guwahati, on 06.11.2019 transferred the said RTI application to the SPIO, Karbi Anglong Autonomous Council, Diphu, vide letter No. HPD.125/2010/213 dated 06.11.2019, with a copy to the applicant. Getting no response, the appellant filed an Appeal before the FAA and Principal Secretary, KAAC, Secretariat, Diphu, on 14.12.2019. He then submitted a 2nd Appeal before this Commission on 23.01.2020, stating that he was neither furnished any information nor any intimation sent in response to his RTI application. The Commission fixed 11.01.2021 as date of hearing and issued notice to the SPIO, O/o the Karbi Anglong Autonomous Council, Diphu. But neither the appellant Shri Gulson Bey nor the SPIO O/o the Karbi Anglong Autonomous Council, were present in the hearing. As such the Commission fixed 09.02.2021, as the next date of hearing and notices were issued accordingly. While the 2nd hearing was scheduled on 09.02.2021, both appellant Shri Gulson Bey and the SPIO, O/o the Karbi Anglong Autonomous Council remained absent without any intimation. Keeping in mind the importance of providing information to the appellant citizen, the Commission once again fixed 08.03.2021, as the next date of hearing and notices were issued accordingly.
4. The Commission is constrained to note that both appellant Shri Gulson Bey and the SPIO, O/o the Karbi Anglong Autonomous Council, Diphu, were absent in today's hearing too without any intimation. While it can be presumed from the three successive non-appearance that the appellant Shri Gulson Bey is not interested in pursuing his RTI application and accessing information, the Commission has failed to understand why a responsible government officer holding charge of SPIO in a crucial Public Authority namely Karbi Anglong Autonomous Council has repeatedly failed to respond to notices sent by the Commission.
5. The Commission, vide this order, draws the attention of the Principal Secretary, Karbi Anglong Autonomous Council, Diphu, as well as the Development Commissioner for Hill

Areas of Assam, Dispur, Guwahati, to the fact that a responsible officer holding charge of SPIO has chosen to ignore repeated notices sent by the Assam Information Commission in connection with an Appeal submitted by a citizen under the RTI Act, 2005, and wanting to know about the upgradation and construction of hospitals so vital for the common people. The Principal Secretary, O/o the Karbi Anglong Autonomous Council, Diphu, as well as the Development Commissioner for Hill Areas of Assam Dispur, Guwahati, are hereby directed to separately enquire into the matter of non-response by the SPIO, O/o the Karbi Anglong Autonomous Council, Diphu, and take necessary action thereof, and submit a report to the Commission accordingly within 21 (twenty-one) days from the receipt of this order. The Principal Secretary, O/o the Karbi Anglong Autonomous Council, Diphu, is also directed to take necessary steps so that SPIOs and PIOs in various Departments under the jurisdiction of the Karbi Anglong Autonomous Council, take RTI matters with due seriousness.

6. The appellant Shri Gulson Bey on the other hand is directed to inform the Commission, within 15 (fifteen) days from the receipt of this order, whether he is really interested in pursuing this particular RTI application and the Appeal thereof, so that valuable time and resources of the Commission are not wasted due to his non-response.
7. This 2nd Appeal will be disposed of only after receipt of the report from the Principal Secretary, Karbi Anglong Autonomous Council, Diphu, and the Development Commissioner for Hill Areas of Assam, Dispur, Guwahati, as also a response from the appellant Shri Gulson Bey.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KAN.44/2020

Dated: 08-03-2021

Copy to:

1. The SPIO, Office of the Karbi Anglong Autonomous Council, Diphu, Karbi Anglong, PIN Code-782460, Assam, for information.
2. First Appellate Authority/ The Principal Secretary, KAAC: Secretariat, Diphu-782460 Dist- Karbi Anglong, PIN Code-782460, Assam for information and necessary action.
3. The Development Commissioner for Hill Areas of Assam, Dispur, Guwahati, PIN Code- 781006, for information and necessary action.
4. The petitioner, Shri Gulson Bey, Autonomous State Demand Committee (ASDC) Central Committee Office, Near Diphu Municipal Board Office, Diphu-782460, Karbi Anglong, Assam, for information and necessary action..
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.

Secretary & Registrar
Assam Information Commission