

Case No. : SIC/CCR.31/2020
Complainant/ Appellant : Shri Sayeed Hussain Mazumdar
Respondent : (I) The SPIO, Office of the Addl. Chief Engineer,
PWRD, Silchar-788001.
(II) The SPIO, O/o the Asst. Settlement Officer,
Sadar Circle, Silchar, Assam.
(III) The SPIO, O/o the Asst. Settlement Officer,
Katigorah Circle, Silchar, Assam.
(IV) The SPIO, O/o the Settlement Officer, Cachar
and Hailakandi Dist.- Silchar, Assam.
(V) The SPIO, O/o the Deputy Commissioner, (L.A.
Branch) Cachar, Silchar, Assam.

Date of Hearing : 18-02-2021
Complaint/ Second
Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
18-02-2021

1. The appellant Shri Sayeed Hussain Mazumdar is absent. But he has sent a letter by e-mail dated 17.02.2021, expressing his inability to attend the hearing on health grounds. He however requested the Commission to proceed with the hearing in his absence. He has also stated that he has received information of that portion which falls under office of the Asstt. Settlement Officer, Katigorah Circle and Sadar Circle, Silchar.
2. Altogether five SPIOs were served notice on 22.01.2021 by the Commission for today's hearing. Among them however only Shri Ujjwal Bhattacharjee, SPIO, O/o the Executive Engineer, PWRD, Silchar (the SPIO (i) in the Commission's notice of 22.01.2021) is present today. Of the remaining four SPIOs none have turned up for the hearing today.
3. From perusal of records it is seen that the appellant had in his RTI application of 02.01.2020 sought a certified/photocopy of the map of the road from Silchar to Kalain, including the total breadth of the road along with the vacant portion on both sides of the road acquired by the concerned Department. But it appears that as many as five different Public Authorities hold various information related to the road which is 28.53 km long. Accordingly, notices were served on SPIOs of five different Public Authorities on 22.01.2021.
4. Shri Ujjwal Bhattacharjee, PIO and Asstt Executive Engineer, PWRD, Silchar, also submitted a written statement dated 09.02.2021, comprising action taken on the RTI application in a chronological order. From the statement it is seen that information has been so far provided to the appellant only in the portion falling under O/o the Executive Engineer, Silchar and Udhharband Territorial Road Division, Silchar. From the oral as well as written statement of the PIO Shri Ujjwal Bhattacharjee, it can be surmised that two other SPIOs -- (i) The SPIO, O/o the Settlement Officer, Cachar and Hailakandi Dist.- Silchar, Assam, (ii) The SPIO, O/o the Deputy Commissioner, (L.A. Branch) Cachar, Silchar, Assam, -- have yet to furnish the informations sought by the appellant.

5. The RTI Act, 2005, specifically lays down a time frame for the Public Authorities to provide information to citizens who submit RTI applications. In the instant case two SPIOs as mentioned in the preceding paragraph have clearly failed in timely furnishing of the information and have also failed to respond to the Commission's above-mentioned notice.
6. In view of the above, (i) The SPIO, O/o the Settlement Officer, Cachar and Hailakandi Dist.- Silchar, Assam, (ii) The SPIO, O/o the Deputy Commissioner, (L.A. Branch) Cachar, Silchar, Assam, are hereby directed to furnish the informations held by them in response to the RTI application of Shri Sayeed Hussain Mazumdar, of 02.01.2020, within 15 days from the date of receipt of this order, failing which they will attract provisions of penalty as laid down in section 20(1) of the RTI Act, 2005
7. The above mentioned SPIOs are also once again directed to submit a written statement to the Commission 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 within, 15 (fifteen) days from the receipt of this order.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/CCR.31/2020

Dated: 18-02-2021

Copy to:

1. The SPIO, Office of the Addl. Chief Engineer, PWRD, Silchar-788001, for information.
2. The SPIO, O/o the Asst. Settlement Officer, Sadar Circle, Silchar, Assam, for information.
3. The SPIO, O/o the Asst. Settlement Officer, Katigora Circle, Silchar, Assam, for information.
4. The SPIO, O/o the Settlement Officer, Cachar and Hailakandi Dist.- Silchar, Assam, for information and necessary action.
5. The SPIO, O/o the Deputy Commissioner, (L.A. Branch) Cachar, Silchar, Assam, for information and necessary action.
6. The First Appellate Authority/ O/o the Deputy Commissioner, Cachar, Silchar, Assam, for information.
7. The petitioner, Shri Sayeed Hussain Mazumdar Das, S/o- Late Monoronjon Das, Vill & P.O.- Barjatrapur, P.S.- Barkhola, Dist- Cachar, Assam. PIN-788110, for information.
8. Computer section for uploading in the website
9. Office File
10. Order Book

Secretary & Registrar
Assam Information Commission