

**Case No.** : SIC/NGN.31/2021  
**Complainant/ Appellant** : Shri Narendra Prakash Chauhan.  
**Respondent** : The SPIO, O/o the Secretary, Sutirpar G.P. Distt. Nagaon, Assam.  
**Date of Hearing** : 24-03-2022  
**Complaint/ Second Appeal heard by** : Dr. Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**24-03-2022**

1. The appellant Shri Narendra Prakash Chauhan is present.
2. Shri Sahab Uddin Ahmed, Secretary, Sutirpar GP, Dist. Nagaon, is present. The SPIO and Secretary, Sutirpar GP, has not submitted any written statement.
3. From records it is seen that the appellant Shri Narendra Prakash Chauhan had submitted one RTI application to the SPIO, O/o the Secretary, Sutirpar GP, Distt. Nagaon, on 18.01.2021 seeking certain informations related to the G.P. On not receiving any response he submitted a 1<sup>st</sup> Appeal on 05.07.2021 on the basis of which the FAA and Chief Executive Officer, Nagaon Zilla Parishad, held a hearing on 28.08.2021 and directed the SPIO/Secretary, Sutirpar G.P. to provide the information to Shri Narendra Prakash Chauhan free of cost on or before 10.09.2021 without fail. The FAA had also directed the SPIO, Secretary, Sutirpar G.P. to permit the appellant to inspect the records to take photocopies of the sought for documents if the informations are voluminous in nature. On not receiving any response despite the clear order passed by the FAA and CEO, Nagaon Zilla Parishad, Shri Narendra Prakash Chauhan submitted a 2<sup>nd</sup> Appeal in this Commission on 26.11.2021, and hence this hearing today.
4. During today's hearing the appellant Shri Narendra Prakash Chauhan said he has not yet received the informations till date. Shri Sahab Uddin Ahmed SPIO and Secretary, Sutirpar G.P. said the informations are ready and can be provided to the appellant immediately.
5. The Commission has noted that while the FAA and CEO Nagaon Zilla Parishad clearly directed the SPIO, Sutirpar G.P. on 28.08.2021 to provide the informations to the appellant Shri Narendra Prakash Chauhan free of cost on or before 10.09.2021, the SPIO and Secretary, Sutirpar G.P. did not bother to carry out the order and simply chose to sit on it. Shri Sahab Uddin Ahmed, SPIO and Secretary, Sutirpar G.P. during today's hearing said that he had joined as SPIO and Secretary of Sutirpar G.P. on 21.08.2021. But the order of the FAA and CEO Nagaon Zilla Parishad dated 28.08.2021 has mentioned on record that it was one Syed Mahmud who had attended the hearing of Shri Narendra Prakash Chauhan's 1<sup>st</sup> Appeal on 28.08.2021 as SPIO and Secretary of Sutirpar G.P. **The FAA and CEO of Nagaon Zilla Parishad shall enquire into this matter as to how one Syed Mahmud attended the hearing of 28.08.2021, when Shri Shahab Uddin Ahmed during today's hearing verbally claimed that he had taken charge as Secretary, Sutirpar G.P. w.e.f 21.08.2021. The FAA and CEO, Nagaon Zilla Parishad shall take necessary action if any discrepancy is detected. The FAA and CEO, Nagaon Zilla Parishad is also directed to take appropriate action against the SPIO, Sutirpar G.P. for failing to carry out his order of 28.08.2021, and inform the Commission accordingly.**

6. **Shri Sahab Uddin Ahmed SPIO and Secretary, Sutirpar G.P.** during today's hearing stated that the informations are ready to be furnished to the appellant **Shri Narendra Prakash Chauhan**. As such the SPIO and Secretary, Sutirpar G.P. is directed to furnish the informations to the appellant **Shri Narendra Prakash Chauhan** within 7 (seven) days from the date of receipt of this order, free of cost. The SPIO shall also obtain an acknowledgement receipt from the appellant.
7. Since the appellant **Shri Narendra Prakash Chauhan** had submitted his RTI application on 18.01.2021, and since more than six months have lapsed from the date of order passed by the FAA and CEO, Nagaon Zilla Parishad directing the SPIO and Secretary, Sutirpar G.P. to provide the informations to the appellant **Shri Narendra Prakash Chauhan**, hence the SPIO and Secretary, Sutirpar G.P. is once again directed to submit a written statement to the Commission explaining why penal/departmental action under Section 20(1) of the RTI Act, 2005, shall not be imposed on him for his failure to furnish the information within the stipulated period. The written statement shall be submitted by the SPIO and Secretary, Sutirpar G.P. within 15 (fifteen) days from the date of receipt of this order.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/NGN.31/2021**

**Dated: 24-03-2022**

Copy to:

1. The SPIO, O/o the Secretary, Sutirpar G.P. Distt. Nagaon, Assam, Pin Code 782124 for information and necessary action.
2. First Appellate Authority/ O/o the CEO, Nagaon Zilla Parishad, Assam, for information and necessary action.
3. The petitioner, **Shri Narendra Prakash Chauhan**, Vill. & P.O. Majarati, Distt. Nagaon, PIN 782002, Assam, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.

  
Secretary & Registrar  
Assam Information Commission.