

OFFICE OF THE
ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : SIC/CCR.72/2022
Complainant/ Appellant : Ranjan Roy
Respondent : SPIO/ the Executive Officer, Silchar Municipal Board, Silchar, Cachar, Assam
Date of Hearing : 17/06/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
17/06/2022

1. The petitioner Sri Ranjan Roy has filed one RTI petition before the Executive Officer, Silchar Municipal Board, Silchar, Cachar, Assam on 15.12.2021 seeking some information regarding Tender and Work Order of Goldighi Mall.
2. Reportedly on not getting any information, the petitioner filed 1st appeal before the 1st Appellate Authority/The Deputy Commissioner, Silchar, Cachar, Assam on 10.1.2022 and then he filed 2nd appeal before the Commission on 7.3.2022.

Accordingly, the matter was taken up for hearing.

3. The petitioner Sri Ranjan Roy is absent without any intimation.
4. The Public Authority to be represented by SPIO, O/o the Silchar Municipal Board is absent. The PIO of Silchar Municipal Board has sent an email dated 17.6.2022 stating due to communication disruption, he is unable to attend the hearing.
5. However, the Additional Deputy Commissioner, Cachar, Silchar has submitted a written statement dated 21.5.2022 in compilation to petitioner's RTI application dated 15.11.2021 wherein it is mentioned that the sought for information has already been furnished to the petitioner by the PIO of Silchar Municipal Board vide his letter no. SMG/RTI.2/2022-23 dated 21.5.2022.
6. **The action of SPIO is in total violation of the provision of RTI Act, 2005. It is observed that the information was furnished to the petitioner after 188 days from the date of RTI application i.e., 15.11.2021.**

As per the provision **Section 7(1) in The Right To Information Act, 2005 which quotes** (1) Subject to the proviso to sub-section (2) of section 5 or the proviso to sub-section (3) of section 6, the Central Public Information Officer or State Public Information Officer, as the case may be on receipt of a request under section 6 shall, as expeditiously as possible, and in any case within thirty days of the receipt of the request, either provide the information on payment of such fee as may be prescribed or reject the request for any of the reasons specified in sections 8 and 9: Provided that where the information sought for concerns the life or liberty of a person, the same shall be provided within forty-eight hours of the receipt of the request **unquote**.

7. **This is a fit case to impose penalty on the SPIO, however the Commission takes a lenient view for this time only.**

The non-submission of the information during stipulated time has unnecessarily made the petitioner file 2nd appeal and also led to wastage of time and resources of the Commission.

8. **The case be brought to the notice of the Deputy Commissioner, Cachar/ The First Appellate Authority to ensure that the SPIO of Silchar Municipal Board could act as per the provision of the RTI Act in future.**

9. In light of the above, the case is disposed off.
Authenticated copies to be given to all concerned.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/CCR 72/2022

Dtd. 17.6.2022

Copy to:

1. The Deputy Commissioner, O/o the Deputy Commissioner, Cachar, Silchar for information and necessary action .
2. The Additional Deputy Commissioner, O/o the Deputy Commissioner, Cachar, Silchar, Assam for information and necessary action.
3. The SPIO, O/o the Silchar Municipal Board, Silchar, Cachar, Assam for information and necessary action
4. The petitioner Ranjan Roy, President, "ADARSH", NGO, Padmanagar, Bilpar, Silchar, Cachar 01 Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Registrar
Assam Information Commission