



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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

Case No. : SIC/KPM.123/2022
 Appellant : Sri Dulal Debnath
 Respondent : The SPIO, O/o the District & Session Judge's Court,
 Kamrup(M)
 Date of hearing : 19.05.2022
 Second Appeal heard by : Sri Kanak Ch. Sarma
 State Information Commissioner, Assam

O R D E R
 19.05.2022

The appellant Sri Dulal Debnath is present. Through his e-mail dated 11.05.2022 the appellant prayed before the Commission to allow his brother to accompany him and to appear before the Commission. The prayer is allowed.

The SPIO, o/o the District & Session Judge's Court, Kamrup(M) is absent without step although notice had been served on 07.05.2022.

The 1st appellate authority, o/o the District & Session Judge's Court, Kamrup(M) has not submitted written statement in response to Commission's notice bearing no. SIC/KP(M).123/2022/11 dated 06.05.2022.

Seen the case record. The appellant submitted one application dated 15.12.2021 under the RTI Act, 2005 before the SPIO, o/o the District & Session Judge's Court, Kamrup(M) seeking some informations. He did not receive the desired informations within the stipulated period of time and thus submitted 1st appeal petition dated 27.01.2022 before the FAA, o/o the District & Session Judge's Court, Kamrup(M). Still he did not receive the informations for which he preferred 2nd appeal dated 18.03.2022 before the Commission.

It is observed that the SPIO, o/o the District & Session Judge's Court, Kamrup(M) has neither furnished the informations to the petitioner nor had informed if the same may not be furnished. The FAA, o/o the District & Session Judge's Court, Kamrup(M) had not organized hearing to dispose of the 1st appeal petition whereby both the SPIO as well as the FAA has violated the provisions of the RTI Act, 2005.

Since, the SPIO, o/o the District & Session Judge's Court, Kamrup(M) has not informed anything to the Commission even after receipt of the notice on 07.05.2022, hence he/she is directed to furnish the informations to the appellant within seven days of receipt of this order, free of cost. Non-compliance of the Commission's order will attract section 20(1) of the RTI Act, 2005 for imposition of penalty.

With the above directions, the 2nd appeal dated 18.03.2022 is disposed of.

Sd/-

(Kanak Ch. Sarma)
 State Information Commissioner, Assam
 Panjabari, Guwahati

Authenticated true copy

Sd/-
 Registrar
 Assam Information Commission

Memo No. SIC/KPM.123/2022

Dtd.19.05.2022

Copy to:

1. The SPIO, O/o the District & Session Judge's Court, Kamrup(M), Near Dighalipukhuri, Panbazar, Guwahati- 01 for information and necessary action.
2. The First Appellate Authority/office of the District & Session Judge's Court, Kamrup(M), Near Dighalipukhuri, Panbazar, Guwahati- 01 for information.
3. The Appellant, Sri Dulal Debnath, C/o- M/s Diamond Jewellery, Pandu, Rest Camp, Bara Bazaar, Near Railway Co-operative, Guwahati-781 012 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.

Registrar
Assam Information Commission