

Case No. : SIC/HLK 20/2022
Complainant/ Appellant : Sri Chandra Kumar Chakma
Respondent : The SPIO,
The District Development Commissioner,
Hailakandi, Assam 788151
Date of Hearing : 04/11/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
04/11/2022

1. The petitioner Sri Chandra Kumar Chakma has filed one RTI petition before the PIO, O/o the Deputy Commissioner, Kachari Road, Dist. Hailakandi, Assam on 22.9.2021 seeking some information (copy enclosed).
2. The SPIO, O/o the Deputy Commissioner, Hailakandi transferred the RTI petition to the District Development Commissioner, Hailakandi on 3.11.2021 with a direction to furnish the information directly to the petitioner.
3. The petitioner then filed 1st appeal before the First Appellate Authority, O/o the Deputy Commissioner, Kachari Road, Dist. Hailakandi, Assam on 24.11.2021 and then he filed 2nd appeal before the Commission on 6.6.2022.
Accordingly, the matter was taken up for hearing.
4. The petitioner Sri Chandra Kumar Chakma is represented by his Advocate Miss Nandita Deka.
5. The Public Authority to be represented by SPIO, The District Development Commissioner, Hailakandi is absent.
6. On perusal of the records, it is found that the reply from point 1 to point 6 which was supposed to be given by the SPIO, O/o the Deputy Commissioner, Hailakandi is not furnished.
7. The SPIO is directed to furnish the information directly to the petitioner within 15 days.
8. The information relating to point no. 7 is given. The information relating to point no.8 is to be given by the O/o the Deputy Commissioner, Hailakandi and it is not known whether it is furnished to the petitioner or not.
9. With reference to the District Development Commissioner letter dated 3.11.2022, the Commission observes that if he is not the SPIO or PIO as claimed, he should have intimated about it when the SPIO, O/o the Deputy Commissioner, Hailakandi marked a copy to him. No such record is available with the letter.
10. If the information is to be provided by the District Development Commissioner, the Assam Information Commission u/s 5(1) of the RTI Act, 2005 directs the District Development Commissioner to designate SPIO in his absence, otherwise he will be treated as SPIO.
11. The relevant section 5(1) of RTI Act, 2005 is quoted as follows:
“Every public authority shall, within one hundred days of the enactment of this Act, designate as many officers as Central Public Information Officers or State Public Information Officers, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act”.

12. 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/HLK 20/2022

Dtd. 04.11.2022

Copy to:

1. The SPIO, The District Development Commissioner, O/o The Deputy Commissioner, Hailakandi, Assam 788151 for information and necessary action as ordered above.
2. The petitioner Sri Chandra Kumar Chakma, Vill. Bhai Bonti (Bhaicherra), P.O. & P.S. Ramnathpur, Dist. Hailakandi, Assam 788162 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission