

Case No. : SIC/KAN 19/2021
Complainant/ Appellant : Sri Jintu Hazarika
Respondent : SPIO, O/o the Principal Secretary, Karbi Anglong Autonomous Council (KAAC), Diphu, Karbi Anglong, Assam
The Joint Secretary, Dept. of Revenue, Karbi Anglong Autonomous Council (KAAC), Diphu, Karbi Anglong, Assam
Date of Order : 29/10/2022
Complaint/ Second Appeal heard by : Dr. A.P.Rout,
State Chief Information Commissioner, Assam

O R D E R
29/10/2022

1. In continuation of earlier order dated 29.1.2022 the matter was taken up for hearing.
2. The petitioner Sri Jintu Hazarika is present.
3. The Public Authority to be represented by SPIO, Office of the Principal Secretary, Karbi-Anglong Autonomous Council, Diphu has failed to appear and failed to submit any written statement.
4. This RTI petition is of great public interest as it is related to land acquisition and payment of dues to the land owners/beneficiaries in connection with 4 lane construction work from Parokhowa to Disobai and accordingly vide earlier order dated 29.1.2022 which *quote* In this particular case, the petitioner who is public functionary i.e. Student Union leader of Karbi Anglong and has public interest and interaction with the affected land holders and has specifically made out the case that 50% of the land holders are yet to be given a compensation, the Commission therefore orders that the value of agricultural and commercial land as per the latest/current rate to be furnished to the petitioner.
Further, the reply to petitioner's question no. 2 and 3 be given within reasonable time. *unquote*, the Commission has given specific direction to furnish the information.
5. Non furnishing of the information within stipulated time attracts penalty provision of Section 20 of the RTI Act,2005 which is quoted as follows:

20. Penalties. —

“(1) Where the Central Information Commission or the State Information Commission, as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Public Information Officer or the State Public Information Officer, as the case may be, has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in furnishing the information, it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished, so however, the total amount of such penalty shall not exceed twenty-five thousand rupees: Provided that the Central Public Information Officer or the State Public Information Officer, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him: Provided further that

the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer, as the case may be”.

6. **Mark a copy to the Chief Secretary to the Government of Assam, , Dispur 06 to serve this notice on the Principal Secretary, Karbi-Anglong Autonomous Council, Diphu who in turn to serve this notice by name on the SPIO to appear on the next date of hearing which is fixed on 30th November, 2022 with all relevant documents and with explanation why no penalty u/s 20 to be imposed on him for not furnishing the information on time.**
7. **Further, the Principal Secretary of Karbi Anglong Autonomous Council, Diphu is to serve notice on SPIO with intimation to the Registrar of Assam Information Commission, Panjabari, Guwahati**
- 8.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KAN 19/2021

Dtd. 29.10.2022

Copy to:

1. The Chief Secretary to the Government of Assam, Dispur 06 for kind information and necessary action as above.
2. The Principal Secretary, Karbi Anglong Autonomous Council (KAAC), Diphu, Karbi Anglong, Assam for information and necessary action as ordered above.
3. The SPIO, O/o the Principal Secretary, Karbi Anglong Autonomous Council (KAAC), Diphu, Karbi Anglong, Assam for information and necessary action. He is to remain present on the next date of hearing i.e., on 30th November,2022 at 12 Noon.
4. The petitioner Jintu Hazarika, Howraghat, Ward No.1, P.O. Howraghat, Dist. Karbi Anglong, Assam for information. He is to remain present on the next date of hearing i.e., on 30th November,2022 at 12 Noon.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Registrar
Assam Information Commission