



**OFFICE OF THE  
ASSAM STATE INFORMATION COMMISSION  
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : MRN.14/2013  
Complainant/ Appellant : Sri Dulal Bora.  
Respondent : The Deputy Commissioner, Morigaon.  
Date of hearing : 09.12.2015  
Complaint/ Second : Shri Pinuel Basumatary, IA&AS ( Retd)  
Appeal heard by : State Information Commissioner, Assam

**O R D E R**  
09.12.2015

The Appellant present.

The SPIO, Office of the Deputy Commissioner, Morigaon absent without information.

A perusal of the case records indicate the following significant dates:

30.03.13 RTI Application filed with D.C., Morigaon.  
25.06.13 First Appeal filed with the D.C., Morigaon.  
04.09.13 Second Appeal filed before the Commission.

The Appellant submitted that he has not received the information he had sought for. He has also submitted that he has not received any order in response to his First Appeal.

The SPIO has not submitted any written statement as required by the Commission through its hearing notice no. SIC/MRN.14/2013/4 dated 26/11/2015. The Commission is not, therefore, aware as to whether any step had been taken by the SPIO to provide the information in the last 32 (thirty two) months or so.

The SPIO has also not submitted any explanation as sought for by the Commission through its hearing notice as to why penalty will not be imposed on him/her Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days. The Appellant has submitted that he has not received any order in response to his First Appeal on dated 25/06/2013. No evidence has been received in the Commission of the First Appellate Authority *i.e.* D.C., Morigaon having taken any steps to dispose of the First Appeal in time in accordance with the provisions of RTI Act, 2005, which was sought by the Commission through its aforementioned hearing notice.

In view of the facts mentioned above, the Commission hereby orders that the SPIO, Office of the D.C., Morigaon will provide the information sought for by the Applicant/ Appellant within a period of 15 days from the date of receipt of this order. The SPIO will also submit an explanation to the Commission as to why penalty will not be imposed on him/her Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days, within a period of 18 days of receipt of this order..

It is further ordered that the D.C., Morigaon being the First Appellate Authority, will consider and dispose of the First Appeal submitted by the Applicant/Appellant dated 25/06/2013 with a speaking order within a period of 21 days from the date of receipt of this order.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam State Information Commission

Copy to:

1. The First Appellate Authority/Deputy Commissioner, Morigaon for information for information and necessary action.
2. The SPIO, Office of the Deputy Commissioner, Morigaon for necessary action.
3. Sri Dulal Bora, Kainadhara Tiniali, House no.- 118, Khanapara, Guwahati, Dist- Kamrup(M), Assam, Pin-781022 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar  
Assam State Information Commission