



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

Case No. : SIC/KMJ.21/2014  
Appellant : Sri Ashish Bhusan Dhar.  
Respondent : The SPIO, O/o the Circle Officer, Nilambazar Revenue Circle, Karimganj  
Date of hearing : 28.04.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**

28.04.2016

The SPIO and the Appellant are both absent without any information. No Written Statement has also been received from either party.

The First Appellate Authority/D.C., Karimganj has not apprised the Commission about the steps he had taken to dispose of the First Appeal dated 23.12.2013 which was sought by the Commission through its hearing notice dated 04.04.2016.

With a view to facilitating/furnishing of the information to the RTI Applicant, if already not furnished, it is decided to go ahead with the hearing *ex parte*.

Perused the case record. It is seen that the Appellant had filed his Second Appeal dated 17.04.2014 after he failed to receive the information from the SPIO/Circle Officer, Nilambazar Revenue Circle inspite of the order of the First Appellate Authority dated 10.01.2014 issued in response to his First Appeal dated 23.12.2013.

In the absence of the SPIO or any Written Statement from him, it could not be ascertained whether the information was provided to the Appellant subsequent to filing of the Second Appeal. The SPIO has also failed to explain as to why penalty shall 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.

In view of the facts brought out above, the Commission hereby orders as follows –

1. The SPIO shall furnish the information as sought for by the Applicant/Appellant, free of cost, within a period of 10 days of receipt of this order, if already not furnished;
2. The SPIO shall submit a written explanation to this Commission, within 15 days of receipt of this order, as to why penalty shall 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.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/KMJ.21/2014/ -A

Dtd. 28.04.2016

Copy to:

1. The SPIO, Office of the Circle Officer, Nilambazar Revenue Circle, P.O.- Nilambazar, Dist- Karimganj, Assam, Pin-788710 for information and necessary action.
2. The First Appellate Authority/Deputy Commissioner, Karimganj, Dist- Karimganj, Assam, Pin- 788710 for information.
3. Sri Ashish Bhusan Dhar, S/o- Lt. Ashutosh Dhar, C/o- Nibedita Gupta, Bipin Paul Road, P.O. & Dist- Karimganj, Assam, Pin- 788710 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission