

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

Case No. : SIC/NLB.34/2016  
Appellant : Shri Rita Mani Talukdar  
Respondent : The SPIO, O/o the Block Development Officer, Barbhag  
Development Block, Nalbari  
Date of hearing : 01.08.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
01.08.2016

The Appellant present.

The SPIO absent without information. He has not submitted any Written Statement on the status of furnishing of information which was sought for by the Commission through its hearing notice dated 18.07.2016. He has also not explained 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.

The First Appellate Authority/BDO, Barbhag Development Block has not apprised the Commission about the steps he may have taken to dispose of the First Appeal dated 16.10.2015 which he was asked to do through its aforementioned hearing notice.

Heard the Appellant. She submitted that she has not received the information sought for through her RTI Application dated 15.07.2015 and any response to her First Appeal dated 16.10.2015.

Perused the case record. It is seen that the Appellant had filed her Second Appeal for the same reason which she has submitted today during the hearing in person. It is indicative that she has not received any information subsequent to her filing the Second Appeal dated 05.03.2016.

In the absence of the SPIO any Written Statement from him, the Commission could not be ascertained whether the SPIO had dispatched the information to the Appellant.

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

1. The SPIO shall provide the information sought for by the Appellant, free of cost, within 10 days of receipt of this order, if he has not already done;
2. The SPIO shall submit an explanation to the 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; and
3. As there is no evidence of the FAA/BDO, Barbhag Development Block having disposed of the First Appeal dated 16.10.2015, he shall do so, with a speaking order, within 21 days of receipt of this order in accordance with the provisions in this behalf in the Act.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Copy to:

1. The SPIO, office of the Block Development Officer, Barbhag Development Block, Nalbari, Dist- Nalbari, Assam, Pin- 781335 for information and necessary action.
2. The First Appellate Authority/Block Development Officer, Barbhag Development Block, Nalbari, Dist- Nalbari, Assam, Pin- 781335 for information and necessary action.
3. Shri Rita Mani Talukdar, Vill & P.O.- Kalag, Dist- Nalbari, Assam, Pin- 781351 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission