

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

Case No. : SIC/NGN.86/2016  
Appellant : Shri Durgeswar Das  
Respondent : The SPIO, O/o the BDO, Lawkhowa Dev. Block, Nagaon  
Date of hearing : 16.11.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
16.11.2016

The SPIO is absent without information.

The Appellant, Shri Durgeswar Das is present.

Heard the Appellant. He submitted that he had not received the information he had sought for.

The SPIO has not given any Written Statement and also has not explained as to why penalty U/S 20 (1) of the RTI Act, 2005 shall not be imposed on him for his failure to furnish the information sought for within the stipulated time period.

There is no evidence that the PD, DRDA, Nagaon to whom the First Appeal dated 07.03.2016 had been submitted of disposing of the First Appeal within the time stipulated by RTI Act, 2005.

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

(i) The SPIO shall furnish information of the RTI Application of Shri Durgeswar Das dated 27.01.2016, free of cost, within 15 days of receipt of this order.

(ii) The SPIO shall explain in writing as to why penalty U/S 20 (1) of the RTI Act, 2005 shall not be imposed on him for his failure to furnish the information sought for within the stipulated time period.

The Commission also hereby draws the attention of PD, DRDA, Nagaon to his failure to dispose of the First Appeal filed by the Appellant to him as FAA in accordance with the provisions of the RTI Act, 2005 either by a speaking order after hearing the parties concerned or by forwarding it to the concerned FAA for disposal within the time stipulated by the said Act.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Sd/-

Dy. Registrar  
Assam State Information Commission

Memo No. SIC/NGN.86/2016

Dtd. 16.11.2016

Copy to:

1. The SPIO, O/o the BDO, Lawkhowa Dev. Block, Nagaon for information and necessary action.
2. The First Appellate Authority/PD, DRDA, Nagaon for information.
3. The Appellant, Shri Durgeswar Das, Residence of Christian Patty, PO- Nagaon, Nagaon-782 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Registrar  
Assam State Information Commission