

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

Case No. : SIC/NGN.104/2016
Appellant : Shri Durgeswar Das
Respondent : The SPIO, O/o the Circle Officer, Nagaon Sadar, Nagaon
Date of hearing : 15.11.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
15.11.2016

The SPIO absent without information.

The Appellant, Shri Durgeswar Das is present.

A Written Statement dated 08.11.2016 has been received from the O/o the First Appellate Authority/Deputy Commissioner, Nagaon.

The Appellant has submitted that he has not received the information he had sought for.

Perused the Written Statement. It has been submitted that the First Appeal dated 15.02.2016 was heard by the First Appellate Authority/DC, Nagaon and, an order issued dated 21.03.2016 where the Circle Officer, Sadar Revenue Circle, Nagaon was directed to furnish information to the Applicant within a week. In the hearing the Circle Officer was not present being on leave. However, ADC, Revenue, Nagaon was present.

From the above, it is seen that the SPIO, O/o the Circle Officer, Sadar Revenue Circle, Nagaon has not only not provided the information in response to the RTI Application dated 11.01.2016 but also in response to the order of the FAA/DC, Nagaon.

The SPIO has not submitted any Written Statement to the Commission as sought for through its Hearing Notice dated 03.10.2016 and 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.

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

- (i) The SPIO, O/o the Circle Officer, Sadar Revenue Circle, Nagaon shall provide the information sought for by the Appellant, free of cost, within a period of 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 explanation may be submitted before the Commission within 21 days of receipt of this order.
- (iii) The next date of hearing may be fixed in 6 weeks' time.

Sd/-
Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Sd/-
Dy. Registrar
Assam State Information Commission

Copy to:

1. The SPIO, O/o the Circle Officer, Nagaon Sadar, Nagaon for information and necessary action.
2. The First Appellate Authority/Deputy Commissioner, 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