



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

Case No. : SIC/NGN.142/2016  
Appellant : Shri Lok Nath Borah  
Respondent : The SPIO, O/o the CDPO, Kaliabor ICDS Project, Nagaon  
Date of hearing : 27.02.2017  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
27.02.2017

The Appellant, Shri Lok Nath Borah is present.

The SPIO is absent without information.

Heard the Appellant. He submitted that he had not received the information he had sought for. He added that he was requested by the CDPO, Kaliabor ICDS Project, Nagaon to visit his office and to see the documents on 09.02.2016 but he did not visit the office informing in writing that he only required a copy of a few documents.

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

It is seen from the documents shown by the Appellant that the CDPO's letter requesting him to visit the office was dated 04.02.2016. It is evident therefrom that the SPIO had not complied with the provisions of the RTI Act, 2005 which mandates furnishing of information or appropriate action within 30 days of receipt of the RTI Application. The SPIO ought to have taken follow up action on receipt of the response from the Appellant's letter dated 09.02.2016 and handed over on the same date with acknowledgement of receipt.

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

- (i) The SPIO, O/o the CDPO, Kaliabor ICDS Project, Nagaon shall furnish the information sought for by the Appellant, free of cost, within 15 days of receipt of this order.
- (ii) The SPIO, O/o the CDPO, Kaliabor ICDS Project, Nagaon shall explain in writing as to why penalty U/S 20 (1) of the RTI Act, 2005 should not be imposed on him for his failure to furnish the information sought for by the Appellant within the time stipulated. The explanation shall be submitted to the Commission within 15 days of receipt of this order. If any explanation is not received within this time, the Commission may decide to impose penalty on the SPIO without further personal hearing.

Bring up the case in seven weeks' time with the status of compliance or non-compliance of this order.

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

Sd/-  
Dy. Registrar  
Assam State Information Commission

Memo No. SIC/NGN.142/2016

Dtd. 27.02.2017

Copy to:

1. The SPIO, O/o the CDPO, Kaliabor ICDS Project, Nagaon, Assam for information and necessary action.
2. The First Appellate Authority/Programme Officer, Divisional ICDS Cell, Nagaon, Assam for information.
3. Shri Lok Nath Borah, PO- Kuwarital, Vill- Kuwarital, Nagaon, Pin- 782 137, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Registrar  
Assam State Information Commission