



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

Case No. : SIC/DMJ.09/2015  
Complainant : Shri Ramen Gohain  
Respondent : The SPIO, O/o the Principal, Gogamukh College, Dhemaji  
Date of hearing : 06.03.2017  
Complaint heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
06.03.2017

The SPIO absent without information.

The Complainant is absent. However, he has sent a written request informing that he was unable to attend today's hearing on account of personal difficulty and requesting for another date.

Perused the case record. It is seen that the RTI Application was dated 20.02.2014 and his Complaint U/S 18 of the RTI Act, 2005 submitted to the Commission regarding non-response from the SPIO was dated 05.05.2014. As both the RTI Applications and the Complaint submitted to the Commission have been pending for quite sometime, the Commission decided to go ahead with the hearing proceedings *ex parte*.

The SPIO has not submitted any Written Statement and explanation 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 stipulated period.

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

- (i) The SPIO, O/o the Principal, Gogamukh College, Dhemaji shall submit a W/S detailing the reasons as to why the information was not furnished to the Complainant within the time stipulated by the RTI Act, 2005 and also why he was not present in today's hearing or did not submit any W/S as sought for through the Commission's Hearing Notice dated 02.02.2017, and
- (ii) The SPIO, O/o the Principal, Gogamukh College, Dhemaji 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 no explanation is received within this time, the Commission may decide to impose penalty on the SPIO without further personal hearing.

Further, it is seen that another Complaint no. SIC/DMJ.19/2015 was scheduled for hearing today. This Complaint related to the same RTI Application of 20.02.2014 regarding non-disclosure of information on the website of the College, the Complaint date being 11.02.2015. Thus, it is seen that the Complainant had submitted two Complaints before the Commission on his same RTI Application, the second one without any reference to the first one. The Complainant has made an error in filing two Complaints U/S 18 of the RTI Act, 2005 for non-response to the same RTI Application.

Considering that the facts brought out above, the Complaint case no. SIC/DMJ.09/2015 is hereby disposed of and closed.

Keep a copy of this order in SIC/DMJ.19/2015 file.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Sd/-

Registrar  
Assam Information Commission

Memo No. SIC/DMJ.09/2015

Dtd. 06.03.2017

Copy to:

1. The SPIO, O/o the Principal, Gogamukh College, Dhemaji for information and necessary action.
2. Shri Ramen Gohain, Vill- Lachit Nagar, PO- Khubalia, Pin- 787 057, Dhemaji, Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar

Assam Information Commission