

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

Case No. : SIC/NGN.61/2017  
Appellant : Shri Durgeswar Das  
Respondent : The SPIO, O/o the Block Dev. Officer, Pakhimoria Dev.  
Block, Nagaon  
  
Date of hearing : 24.08.2017  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
24.08.2017

The Appellant, Shri Durgeswar Das is present.

The SPIO absent without information. He 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 within the time stipulated.

The First Appellate Authority/BDO, Pakhimoria Dev. Block, Nagaon has not apprised the Commission about the steps he might have taken to dispose of the First Appeal in accordance with the RTI Act, 2005.

Considering that the Appellant is present and it is over eight months since information was due to be furnished in respect of Application dated 18.11.2016, the Commission decided to conduct the hearing proceedings *ex parte* of the SPIO.

Heard the Appellant. He submitted that he had not received any response from the SPIO and has not received any decision from the FAA.

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

- (i) The BDO, Pakhimoria Dev. Block, Nagaon shall furnish the information sought for by the Appellant, free of cost, within 10 days of receipt of this order, and
- (ii) The BDO, Pakhimoria Dev. Block, Nagaon shall submit an 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 within the time stipulated. The explanation shall be submitted to the Commission within 15 days of receipt of this order and indicate the date on which the Application for information was received, and also the name(s) of the SPIOs since November, 2016 to date.

The Commission may make a decision on imposition of penalty without giving opportunity of personal hearing.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true Copy

Sd/-

Joint Registrar  
Assam State Information Commission

Copy to:

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

Joint Registrar  
Assam State Information Commission