

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

Case No. : SIC/NGN.95/2017
Appellant : Shri Durgeswar Das
Respondent : The SPIO, O/o the Block Dev. Officer, Laharighat Dev. Block,
Morigaon, Assam
Date of hearing : 22.02.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
22.02.2018

The Appellant, Shri Durgeswar Das is present.

The SPIO absent. However, Shri Dandi Ram Nath, Senior Assistant (Accounts), Laharighat Dev. Block, Morigaon and Shri Raghu Nath Das, Secretary, Kachaibari GP are present without any authority or official letter of deputation from the SPIO. They are allowed to be present in the hearing in the interest of a decision on the Appeal.

The officials from the BDOs office submitted a copy of the letter dated 20.02.2018 dispatched yesterday, i.e. 21.02.2018 providing the information. However, no copies of the enclosures have not been submitted.

Heard the Appellant. He submitted that he has no information about furnishing of the information and that he has learnt about the aforementioned letter today. He added that he has received no response to his First Appeal dated 27.06.2017.

The Commission observes that there has been an inordinate delay on the part of the SPIO/BDO in furnishing the information sought for by the Appellant through his Application dated 18.05.2017 and the BDO has neglected to dispose of the First Appeal in the capacity of the First Appellate Authority.

However, considering that the BDO has claimed to have provided the information through the aforementioned letter, the Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to move this Commission, if he is aggrieved with the response of the SPIO.

The Commission further directs the SPIO and the BDO to note that it is the responsibility of the SPIO to be present in the hearing or depute officials conversant with the matter and submit a detailed Written Statement in terms of the notice for hearing, and that the BDO as the FAA is required to apprise the Commission about the steps he might have taken to dispose of the First Appeal in accordance with the RTI Act, 2005.

The postal record of dispatching of the letter has been copied along with the copy of the aforesaid letter.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar
Assam Information Commission

Copy to:

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

Joint Registrar
Assam Information Commission

