



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

Case No. : SIC/KP(M).1037/2017
Appellant : Shri Hari Narayan Pathak
Respondent : The SPIO, O/o the Director, Geology & Mining, Assam
Date of hearing : 24.01.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
24.01.2018

The Appellant, Shri Harinarayan Pathak is present.

The SPIO absent without information. He/she 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/her for his/her failure to furnish the information within the time stipulated.

As the Appellant is present and the case has been pending for almost a year, the Commission decided to conduct the hearing proceedings *ex parte*.

Heard the Appellant. He submitted that he had not received the information he had sought for and the information furnished to him through a letter dated 03.03.2017 did not pertain to the instant Application dated 24.01.2017. He further submitted that he had received another letter from the SPIO dated 12.09.2017 wherein the Public Authority acknowledged the said mistake without however providing the information sought for. The said letter was produced during the hearing.

Perusal of the case record bears out the submission of the Appellant that information furnished did not answer his Application.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall furnish the information to the Appellant, within 10 days of receiving this order, free of cost.

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.

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 Director, Geology & Mining, Dakhingaon, Kahilipara, Guwahati- 19 for information and necessary action.
2. The First Appellate Authority/Director, Geology & Mining, Dakhingaon, Kahilipara, Guwahati- 19 for information.
3. The Appellant, Shri Hari Narayan Pathak, Padum Pukhuri, Uzan Bazar, Guwahati- 781 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission