

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

Case No. : SIC/DRN.80/2017  
Appellant : Md. Ajibar Rahman  
Respondent : The SPIO, O/o the Block Dev. Officer, Kalaigaon Dev. Block,  
Kalaigaon, Udalguri, Assam  
Date of hearing : 12.04.2018  
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**

12.04.2018

Shri Manoj Kumar Bania, Block Dev. Officer, Kalaigaon Dev. Block, Kalaigaon has sent a Written Statement via e-mail dated 12.04.2018 stating that he was unable to attend the hearing being on NRC duty.

The Secretary, Bher Bheri Bil Gaon Panchayat, Darrang is 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 Appellant, Md. Ajibar Rahman is present.

Considering that the Appellant is present, and that considerable time has elapsed after the due date of furnishing the information, the Commission decided to conduct the hearing proceedings *ex parte* of the responding Public Authority.

Heard the Appellant. He submitted that he had not received any information in respect of his RTI Application dated 16.08.2017 subsequent to filing of the Second Appeal dated 28.10.2017. He added that he has been under pressure from the responding BDO and the President and the Secretary of the said GP to withdraw his RTI Application and that he was dissuaded from being present in today's hearing.

The Commission has observed that the BDO through his e-mail has merely informed the Commission that he was unable to attend today's hearing on account of his NRC duty but he has not cared to apprise the Commission the status of furnishing the information sought for by the Appellant.

The Commission further observes that primarily it is the responsibility of the Secretary of the GP to furnish the information as the RTI Application had been transferred to him by the BDO through a letter dated 25.08.2017. The Commission therefore hereby orders that the Secretary, Bher Bheri Bil GP shall furnish the information to the Appellant, free of cost, within 15 days of receiving this order.

The Second Appeal is hereby disposed of with this order.

Sd/-

Pinuel Basumatary IA & AS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Joint Registrar  
Assam Information Commission

Copy to:

1. The SPIO, O/o the Secretary, Bher Bheri Bil Gaon Panchayat, Darrang, Dist- Darrang, Assam for information and necessary action.
2. The SPIO, O/o the Block Dev. Officer, Kalaigaon Dev. Block, Kalaigaon Udalguri, Assam, Pin- 784 525 for information and necessary action.
3. The First Appellate Authority/Project Director, DRDA, Darrang, Mangaldai, Dist- Darrang, Assam, Pin- 784 125 for information.
4. The Appellant, Md. Ajibar Rahman, S/o- Lt. GiasUddin, Vill & PO- Bher Bheri Bil, Dist- Darrang, Assam, Pin- 784 525 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Joint Registrar  
Assam Information Commission





