

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

Case No. : SIC/NGN.93/2017  
Appellant : Shri Durgeswar Das  
Respondent : The SPIO, O/o the Block Dev. Officer, Lumding Dev. Block,  
Lanka, Hojai, Assam  
Date of hearing : 18.04.2018  
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
18.04.2018

The Appellant, Shri Durgeswar Das is present.

The SPIO absent without information.

The Appellant submitted that as directed by the SPIO he had visited the office to deposit the cost of photocopying. However, the deposit could not be made as the Accountant of the office expressed inability to issue receipt thereof. He added that he had neither received the information nor any decision from the BDO, Lumding Dev. Block, Lanka, Hojai who is the First Appellate Authority.

In the absence of the postal receipt, and confirmation, it could not be ascertained as to whether the Commission's notice dated 12.03.2018 was received by the SPIO and the BDO. However, the Commission notes that the copy of the same notice sent to the Appellant by post was received by him. Considering that the Appellant was present and that much delay has occurred in the matter of furnishing of information in respect of the RTI Application dated 04.05.2017, the Commission decided to conduct the hearing proceedings *ex parte* of the Respondent.

Considering the submissions made in the Second Appeal and the personal deposition by the Appellant, the Commission hereby orders that the SPIO shall furnish the information sought for by him, free of cost, within 15 days of receiving this order.

The Commission also orders that the BDO, Lumding Dev. Block, Lanka, Hojai shall henceforth dispose of First Appeals submitted by the RTI Applicants/Appellants by making a decision thereon within the time stipulated by the RTI Act, 2005 in the capacity of an Appellate Authority.

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

Authenticated true copy

Sd/-

Joint Registrar  
Assam Information Commission

**Memo No. SIC/NGN.93/2017**

**Dtd.18.04.2018**

Copy to:

1. The SPIO, O/o the Block Dev. Officer, Lumding Dev. Block, Lanka, Hojai, Assam for information and necessary action.
2. The First Appellate Authority/Block Dev. Officer, Lumding Dev. Block, Lanka, Hojai, Assam for information.
3. The Appellant, Shri Durgeswar Das, RO- 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 Information Commission





