

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

Case No. : SIC/NGN.129/2017
Appellant : Shri Durgeswar Das
Respondent : The SPIO, O/o the Block Dev. Officer, Udali Dev. Block, PO-
Lanka, Hojai, Assam
Date of hearing : 19.02.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
19.02.2018

The Appellant, Shri Durgeswar Das is present.

The SPIO is absent without information. He/she has not submitted any Written Statement and 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.

The First Appellate Authority/Block Dev. Officer, Udali Dev. Block 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.

Heard the Appellant. He submitted that he had not received the information sought through his Application dated 02.05.2017 and any decision on his First Appeal dated 10.06.2017. He added that he had not received any communication in this regard.

The BDO has submitted a Written Statement no. ODB/RTI/06/2015/16/531 dated 17.02.2018 as regards the Second Appeal case no. SIC/NGN.128/2017/5 which is also scheduled for hearing today. According to the practice in the Commission the hearing notice for the instant case had been sent to the Respondents in the same envelope as the notice for the said Second Appeal case. It can therefore reasonably be presumed that the notice for the hearing of the instant case had been received and that the Respondent has failed to respond to the same either by being present in the hearing or by submitting a Written Statement.

The next date of hearing shall be 03.04.2018 at 1:00 PM.

Considering that the SPIO/BDO, Udali Dev. Block has neither attended today's hearing nor has he submitted any Written Statement, this Commission hereby invokes the provisions of the said Act U/S 18 (3) regarding the powers of the Civil Court while trying a suit under the code of Civil Procedure 1908 to summon and enforce the attendance of the respondent SPIO and compel him/her to give oral or written evidence on oath and to produce documents.

This order shall constitute a notice for hearing to the Respondent and the Appellant.

Serve notice through the Superintendent of Police, Nagaon.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Copy to:

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

Joint Registrar
Assam Information Commission

