



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

Case No. : SIC/KP(M).94/2018
Appellant : Sri Harinarayan Pathak
Respondent : The SPIO, O/o the Industries & Commerce Deptt., Assam
Secretariat, Dispur, Guwahati- 6

Date of hearing : 22.06.2018
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
22.06.2018

The Appellant, Sri Harinarayan Pathak is present.

The SPIO 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.

Perused the case record. The Appellant had submitted his Second Appeal dated 16.08.2017 as he did not receive the information he had sought for through his RTI Application dated 22.12.2016 and any decision from the First Appellate Authority on his First Appeal dated 14.06.2017. The Appellant had sought for copies of file notings in respect of a particular file and the name(s) and designation(s) of the official(s) who had handled the said file.

Heard the Appellant. He submitted that he had not received the information inspite of submitting of reminder dated 30.03.2017 to the SPIO and the First Appeal. The FAA did not take a hearing and dispose of the First Appeal.

Considering that the Appellant is present and the RTI Application has been pending for almost eighteen months, the Commission decided to go ahead with the hearing proceedings *ex parte* of the SPIO.

In the absence of the SPIO and any Written Statement, the Commission could not determine as to what action has been taken, if any, on the RTI Application.

Considering that the information sought for was specific, **the Commission hereby orders that the SPIO shall furnish the same to the Appellant, free of cost, within 15 days of receiving this order.**

The Second Appeal is hereby disposed of. However, the Appellant is 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

Copy to:

1. The SPIO, O/o the Industries & Commerce Deptt., Assam Secretariat, Dispur, Guwahati-6 for information and necessary action.
2. The First Appellate Authority/Industries & Commerce Deptt., Assam Secretariat, Dispur, Guwahati-6 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