



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

Case No. : SIC/NGN.62/2018  
Appellant : Sri Durgeswar Das  
Respondent : The SPIO, O/o the BDO, Moirabari Dev. Block, PO-  
Moirabari, Dist.- Morigaon, Assam, Pin- 782 126  
  
Date of hearing : 19.06.2018  
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
19.06.2018

The SPIO, Moirabari Dev. Block, Morigaon has sent a Written Statement dated 14.06.2018.

The Appellant has sent a written apology dated 18.06.2018 on account of illness and requested to fix another date for hearing.

Perused the case record. The Appellant had sought certain information relating to an MGNREGA work executed under Hatimuria Gaon Panchayat through his RTI Application dated 11.10.2017. He filed a Second Appeal dated 30.01.2018 stating that he had not received the information and that the First Appellate Authority had not heard his First Appeal dated 18.11.2017.

Perused the Written Statement of the SPIO. Without referring to specific RTI Application and the date of receipt thereof, the SPIO has mentioned that the Application to the Secretaries of Hatimuria and Lahkar GP on 31.10.2017 and that he had not received any information from the GP Secretary about furnishing of the information. Further, he has requested the Commission to “verify and give a suitable suggestion about the matter”.

Considering that the RTI Application has been pending for over six months, and the Commission has not been apprised as to whether the information has been furnished by the concerned GP, the Commission decided to go ahead with the hearing proceedings.

In the absence of the SPIO in the hearing and any explanation in the Written Statement, the Commission is unable to determine as to what is meant by the SPIO by his submission to “verify and give suitable suggestion”. It appears that the SPIO does not understand his responsibility under the RTI Act, 2005 and the statutory role of the Commission.

As evidenced by action taken by several Block Dev. Authorities in respect of information on work under MGNREGA, such information is held by the BDOs’ offices and there is no need for the SPIOs of the BDOs to transfer RTI Applications on MGNREGA to GPs. **In view of this, the action taken by the SPIO in the instant case is not in order. The Commission therefore hereby orders that the SPIO shall furnish the information to the Appellant, free of cost, within 15 days of receiving this order.**

**The Second Appeal is hereby disposed of.**

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.62/2018/8-A**

**Dtd.19.06.2018**

Copy to:

1. The SPIO, O/o the BDO, Moirabari Dev. Block, PO- Moirabari, Dist.- Morigaon, Assam, Pin- 782 126 for information and necessary action.
2. The First Appellate Authority/office of the BDO, Moirabari Dev. Block, PO- Moirabari, Dist.- Morigaon, Assam, Pin- 782 126 for information.
3. The Appellant, Sri Durgeswar Das, Residence of Christian Patty, PO- Nagaon, Dist- Nagaon, Pin- 782 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission