



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

Case No. : SIC/NGN.64/2018
Appellant : Sri Durgeswar Das
Respondent : The SPIO, O/o the BDO, Dolonghat Dev. Block, PO-
Dolonghat, Dist.- Nagaon, Assam, Pin- 782 142

Date of hearing : 18.06.2018
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
18.06.2018

The Appellant, Sri Durgeswar Das is present.

The SPIO absent without information.

Perused the case record. It is seen that the Appellant had sought certain information relating to MGNREGA executed under Maj Jajori Gaon Panchayat within Dolonghat Dev. Block through his RTI Application dated 06.10.2017. On not receiving the information, he submitted the First Appeal dated 14.11.2017 and thereafter a Second Appeal dated 30.01.2018.

A Written Statement dated 22.05.2018 was received from the BDO, Dolonghat Dev. Block has been received in the Commission. In the said Written Statement, the BDO has submitted that the Appellant had been requested in writing several times to collect the information from the office.

As the RTI Application has been pending for the last seven months or so, and the Appellant is present, the Commission decided to go ahead with the hearing proceedings *ex parte* of the SPIO.

The Commission observes that the BDO has made the above submission in the Written Statement without referring to any specific RTI Applications or the letters he has claimed to have written to the Appellant. He has enclosed some letters which, however, suffers from the same flaw i.e., there are no references to any of the RTI Applications specifically. No copy has been enclosed of the only letter that bears a number and date (29.11.2017). The Appellant stated that he had not received such a letter. The Commission observes too that the enclosures with the Written Statement does not refer to any specific RTI Applications. The BDO has further submitted that the information could not be provided at present owing to pre-occupation with NRC work and has requested to be allowed time until the NRC work was completed.

The Appellant further submitted that he had indeed received some written communications from the Public Authority but those were not helpful to him as they did not refer to any of his RTI Applications specifically. He submitted that the Public Authority was completely indifferent and casual as regards his duty under the RTI Act, 2005 and that penal

provisions of the Act should be invoked for his failure to provide information or assistance to him as an RTI Applicant.

Considering the facts and circumstances as brought out above, and that the NRC work is reported to drawing close, **the Commission hereby orders as follows-**

- (i) **The SPIO, office of the BDO, Dolonghat Dev. Block shall provide the information to the Appellant, free of cost, within 21 days of receiving of this order, and**
- (ii) **The BDO of Dolonghat Dev. Block should evince more diligence, professionalism and purposiveness in dealing with RTI matters and desist from writing casual, general letters without referring to any specific RTI Applications or the First Appeal.**

With this order, 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 Public Authority/Authorities.

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.64/2018/19-A

Dtd.18.06.2018

Copy to:

1. The SPIO, O/o the BDO, Dolonghat Dev. Block, PO- Dolonghat, Dist.- Nagaon, Assam, Pin- 782 142 for information and necessary action.
2. The First Appellate Authority/office of the BDO, Dolonghat Dev. Block, PO- Dolonghat, Dist.- Nagaon, Assam, Pin- 782 142 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