



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/NLB.64 /2018  
Appellant : Sri Chandmahammad Pradhani  
Respondent : The SPIO, O/o the Asstt. Executive Engineer (PHE), Barpeta,  
Dist.- Barpeta, Assam  
Date of hearing : 22.04.2019  
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
22.04.2019

The SPIO absent. It is seen that the Notice No. SIC/NLB.64/2018/8 dated 19.03.2019 for today's hearing was returned with the Postman's remark, 'Refused'. The notice was sent by Speed Post, BNPL CODE : 3000028925.

The Appellant has sent an apology on account of illness and requested for re-fixation of hearing.

The First Appellate Authority/Executive Engineer, PHE, Barpeta 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.

The Commission observes that the notice for the hearing was sent to the address of the SPIO as mentioned by the Appellant in his RTI Application dated 25.08.2018 including the PIN 781 301. However, the PIN on the returned envelope has been crossed out and replaced with 781 325.

**List the case for hearing in 5/6 weeks and serve the notice to the SPIO through the EE, PHE, Barpeta being the Controlling Officer.**

The Commission further observes that if the letter was refused to be received by the addressee, this is a serious evasion of duty. **The Commission therefore directs the EE, PHE, Barpeta to inquire into the circumstances in which the Commission's notice was refused to be received by the SPIO, office of the Asstt. EE, PHE, Barpeta and fix responsibility for dereliction of duty.**

**Further, the EE, PHE, Barpeta is hereby directed to serve the notice for hearing to the SPIO.**

**Send a photocopy of both sides of the above mentioned envelope duly authenticated along with the notice.**

**Further, send a copy of the hearing notice dated 19.03.2019 too.**

**As the serving of the notice for hearing was not received by the SPIO/Asstt. EE, PHE, Barpeta or by his office, serve notice through the EE, PHE, Barpeta.**

**The EE, PHE, Barpeta is directed to apprise the Commission about the steps he/she took to disposal of the Appeal petition within the stipulated time, either by a written submission/s or by his/her personal attendance or by deputing his authorized representative on the date of hearing.**

Sd/-

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

Authenticated true copy

Sd/-  
Joint Registrar  
Assam Information Commission

**Memo No. SIC/NLB.64 /2018**

**Dtd.22.04.2019**

Copy to:

1. The Executive Engineer, PHE, Barpeta, Dist.- Barpeta, Assam with a request to serve the notice.
2. The SPIO, O/o the Asstt. Executive Engineer, PHE, Barpeta, Dist.- Barpeta, Assam for information and necessary action.
3. The First Appellate Authority/Executive Engineer, PHE, Barpeta, Dist.- Barpeta, Assam for information.
4. The Appellant, Sri Chandmahammad Pradhani, S/o- Sirajul Haque, Vill & PO- Bonpura, PS- Mukalmua, Dist.- Nalbari, Assam, Pin- 781 138 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Joint Registrar  
Assam Information Commission