



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/OS.4 /2019  
 Appellant : Sri Manoj Kumar Bhagat  
 Respondent : The SPIO, O/o the District Judge, Jorhat, PO & Dist.- Jorhat, Assam  
 Date of hearing : 10.04.2019  
 Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
 State Information Commissioner, Assam

**O R D E R**

10.04.2019

Sri Basanta Jyoti Deka, Lower Division Assistant as deputed by Smti. Farhana Sultana, PIO-cum-Chief Judicial Magistrate, Jorhat is present. He submitted a Written Statement dated 06.04.2019 from the PIO.

A Written Statement dated 02.04.2019 has been received from the Appellant.

Perused the case record and Written Statements dated 28.03.2019 and 09.04.2019 received from the SPIO and Sri Dhrupad Kashyap Das, Register (Judicial) & PIO, Gauhati High Court respectively. It is seen that the information was furnished, although belatedly through a letter dated 01.09.2017 by Registered Post. However, in his Written Statement, the Appellant has requested for a direction to the SPIO to furnish the information sought for by him through his RTI Application dated 11.05.2017 without further delay implying thereby that he had not received the said letter. He has also requested to penalize the SPIO. He has conveyed his apology from today's hearing on account of preoccupation with his work.

The SPIO has explained in detail the circumstances in which the information could not be furnished in time and has stated that the delay was unintentional and therefore requested exemption from any penal action on her.

The SPIO's depute could not confirm whether delivery of the said letter dated 01.09.2017 sent by Registered Post on 05.09.2017 was tracked and delivery confirmed. In the absence of adequate information, the Commission is unable to determine as to why the information sent by Registered Post was not received by the Appellant.

Considering that the Appellant has not received the information, **the SPIO is hereby directed to send the same to him (the Appellant) once again by reliable means, free of cost, within 10 days of receipt of this order. Considering that the SPIO had taken action to furnish the information in time and that the delay was unintentional, the Commission hereby decides against imposition of any penalty as requested for by the Appellant.**

**The Second Appeal case 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/OS.4 /2019**

**Dtd.10.04.2019**

Copy to:

1. The SPIO, O/o the District Judge, Jorhat, PO & Dist.- Jorhat, Assam for information and necessary action.
2. The First Appellate Authority/ office of the Register (Judicial), Gauhati High Court, Guwahati- 1 for information.
3. The Appellant, Sri Manoj Kumar Bhagat, R/o-0/2/14, Budh Vihar, Phase-I, Delhi- 86 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission