



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/BNG.21 /2018
Appellant : Sri Diljit Adhikary & Md. Mohibul Hoque
Respondent : 1. The SPIO, O/o the District Dev. Commissioner,
Bongaigaon, Dist.- Bongaigaon, Assam, and
2. The SPIO, O/o the Deputy Commissioner,
Bongaigaon, Dist.- Bongaigaon, Assam
Date of hearing : 01.04.2019
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

01.04.2019

The SPIO absent. 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 sought for within the time stipulated.

The Appellant absent without information.

However, considering that the Appellant had stated in his Second Appeal dated 11.06.2018 that he had neither received the information from the SPIO nor any decision from the First Appellate Authority namely, Deputy Commissioner, Bongaigaon, and that the RTI Application has been pending for nearly one year, the Commission decided to go ahead with the hearing proceedings *ex parte*.

The information sought for by the Appellant related to plan and estimate relating to work under MSDP. The RTI Application dated 01.03.2018 had been transferred by the SPIO, office of the DC, Bongaigaon to the District Dev. Commissioner, Bongaigaon without indicating whether the DDC, Bongaigaon was an SPIO or he had an SPIO in his establishment.

Considering the facts of the case as brought out above, **the Commission hereby orders that the SPIO, office of the DDC, Bongaigaon shall provide the information to the Appellant, free of cost, within 4 (four) weeks of receiving this order. However, if the DDC, Bongaigaon is not an SPIO or does not have an SPIO under him, he shall supply the information to the SPIO, office of the DC, Bongaigaon U/S 5 (4) of the RTI Act, 2005 and the latter shall provide the information to the Appellant forthwith.**

The time of 4 weeks has been given to the SPIO considering the ongoing work relating to General Elections.

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/BNG.21 /2018

Dtd.01.04.2019

Copy to:

1. The SPIO, O/o the District Dev. Commissioner, Bongaigaon, Dist.- Bongaigaon, Assam, Pin- 783 380 for information and necessary action.
2. The SPIO, O/o the Deputy Commissioner, Bongaigaon, Dist.- Bongaigaon, Assam, Pin- 783 380 for information and necessary action.
3. The First Appellate Authority/office of the Deputy Commissioner, Bongaigaon, Dist.- Bongaigaon, Assam, Pin- 783 380 for information.
4. The Appellant, Sri Diljit Adhikary, Ward No. 3 & Md. Mohibul Hoque, Ward No. 4, Abhayapuri, Dist.- Bongaigaon, Assam , Pin- 783 384 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Joint Registrar
Assam Information Commission