



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/BNG.24 /2018  
Appellant : Sri Diljit Adhikary  
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 03.02.2018 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 dated 23.10.2017 has been pending for over 16 (sixteen) months, the Commission decided to go ahead with the hearing proceedings *ex parte*.

The information sought for by the Appellant related to action taken on a letter written by him dated 16.08.2017 alleging violation of Land Revenue Act. The RTI Application was submitted to the SPIO, office of the SDO (C) North Salmara, Abhayapuri. The same was transferred by the SPIO to the SPIO, office of the DC, Bongaigaon and the latter in turn forwarded the same to the District Dev. Commissioner, Bongaigaon U/S 5 (4) of the RTI Act, 2005.

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.24 /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, 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