



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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

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Case No. : SIC/KP(M).724 /2019  
 Appellant : Sri Harinarayan Pathak  
 Respondent : The SPIO, O/o the Registrar of Co-operative Societies, Assam  
 Khanapara, Guwahati- 781 022  
 Date of hearing : 26.07.2019  
 Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
 State Information Commissioner, Assam

**O R D E R**

26.07.2019

The SPIO absent without information. He has not submitted any Written Statement and 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, Sri Harinarayan Pathak is present. He submitted that he had neither received the information he had sought for through his RTI Application dated 02.08.2018 nor any decision from the First Appellate Authority on his First Appeal dated 12.09.2018. He further submitted that he had received a copy of the letter dated 10.10.2018 written by Sri A. Deka, the SPIO and Sub-Registrar of Co-operative Societies, office of the Registrar of Co-operative Societies, Assam to the Deputy Registrar (Estt.) of the same office requesting him to furnish the information on the ground that the same related to his branch. He has not heard from the Public Authority any further.

Perused the case record. It is seen that the hearing notice for today's hearing dated 15.06.2019 was delivered to the SPIO by a special messenger on 18.06.2019. By not providing the information to the Appellant and by not being present in the hearing to apprise the Commission about the action taken thereon, if any, the SPIO has failed in his duty under the RTI Act, 2005. This failure makes him liable to penal action under the Act.

**The next hearing shall be on 06.09.2019 at 12:30 PM. The SPIO is directed to be personally present in the hearing and make submission about action taken to furnish the information and to explain as to why penalty of rupees two hundred and fifty each day till the information is furnished, should not be imposed to the extent of a maximum of Rs. 25, 000/- as provided for U/S 20 (1) of the RTI Act, 2005 within 10 days of receipt of this order. However, if the information has been or will have been furnished to the Appellant to his satisfaction, the SPIO shall apprise the Commission in writing on receipt of which the Commission might decide not to go for hearing on 06.09.2019.**

**Review the status of receipt of the information in due course.**

**This order shall constitute the notice for 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/KP(M).724/2019**

**Dtd.26.07.2019**

Copy to:

1. The SPIO, O/o the Registrar of Co-operative Societies, Assam, Khanapara, Guwahati- 781 022 for information and necessary action.
2. The First Appellate Authority/office of the Registrar of Co-operative Societies, Khanapara, Assam, Guwahati- 781 022 for information.
3. The Appellant, Sri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati- 781 001 for information.
4. Computer Section for uploading in the Website.
5. Office File.



Joint Registrar  
Assam Information Commission