



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No. : SIC/KP(M).53/2020
Complainant/ appellant : Sri Bhupati Kalita.
Respondent : SPIO of the Office of the Managing Director of
Assam Fisheries Dev. Corporation Ltd.
Date of hearing : 3.9.2020
Complaint/ Second : Dr. A.P. Rout, IPS (Retd.)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
3.9.2020

1. The petitioner Sri Bhupati Kalita is absent. However, he intimated to the Commission that he is suffering from Covid and he is now at Covid Care Centre. The public authority i.e. the SPIO of the Managing Director of Assam Fisheries Dev. Corporation (AFDC) Ltd. is represented by Sri Ranjan Kumar Das, SPIO & Internal Auditor of AFDC Ltd. The SPIO stated orally that the file is pending with his Office Superintendent without any valid reason.
2. Though the notice was issued to the SPIO to appear at the scheduled time for the hearing, he was not found at the hearing room at the scheduled time of hearing i.e. on 1.00 PM on 03.9.2020. He appeared after the schedule time and explained that he was in a meeting with another officer of the office of the Assam Information Commission.
3. As regards the case, the SPIO stated orally that the file is pending with his Office Superintendent without any valid reason. This is totally irresponsible reply from the SPIO of AFDC Ltd. which makes him liable for penalty u/s 20(1) of the RTI Act, 2005. Hence, the Commission asks the SPIO to explain within 15 days why penalty u/s 20(1) of the RTI Act, 2005 should not be imposed on him.
4. **Fix another date of hearing.**
Issue notice to the SPIO of AFDC Ltd. to appear in the next date of hearing with his written statement.
Issue notice to the First Appellate Authority to appear in the next date of hearing.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission
Memo No. SIC/ KP(M).53/2020

Dtd. 3.9.2020

Copy to:

1. The Managing Director of Assam Fisheries Dev. Corporation Ltd. Chachal VIP Road, Ghy-36 for information.
2. The SPIO of the Office of the Managing Director of Assam Fisheries Dev. Corporation Ltd. Chachal VIP Road, Ghy-36 for information and necessary action.
3. The First Appellate Authority, Office of the Managing Director of Assam Fisheries Dev. Corporation Ltd. Chachal VIP Road, Ghy-36 for information and necessary action.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar i/c
Assam Information Commission