

**ASSAM INFORMATION COMMISSION**

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

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**Case No. : SIC/KP(M)199/2020**  
**Complainant/ Appellant : Shri Joydeb Das**  
**Respondent : SPIO of Directorate of Horticulture & Food**  
**Processing, Khanapara, Guwahati**  
**Date of Hearing : 4-1-2021**  
**Complaint/ Second : Dr. A.P.Rout, IPS(Retd)**  
**Appeal heard by : State Chief Information Commissioner, Assam**

**O R D E R**  
**4-1-2021**

1. The petitioner Shri Joydeb Das is present.
2. As per Commission's order dated 9/12/2020, the SPIO was directed to file a written affidavit why no penalty to be imposed on him u/s 20(1) of the RTI Act 2005 for violation of Section 7(1) of the Act.
3. In pursuance to above order, Md. Abdul Jalil, SPIO of Directorate of Horticulture & Food Processing has deputed Shri Arup Sarma, Sr.ADO (Horticulture) to attend the hearing on his behalf. He has not mentioned the reason of deputation of another officer when the Commission's order dated 9/12/2020 specifically mentioned about penalty as per Section 20(1) of RTI Act. Penalty is imposed on person not on post.
4. However, the SPIO has filed a written affidavit dated 4/1/2021 wherein he has mentioned the problems faced by their office staffs due to Covid-19, because of which they were not able to furnish the information on time to the appellant.
5. The SPIO further stated that information has already been provided to the appellant on 9/12/2020.
6. Since the information has been provided to the appellant, the instant 2<sup>nd</sup> appeal petition dated 31/7/2020 is disposed off.

Sd/-  
Dr. A.P.Rout

Authenticated true copy.

Sd/-  
Joint Registrar i/c  
Assam Information Commission

Memo No. SIC/KP(M)199/2020

Dated: 4-1-2021

Copy to:

1. SPIO of Directorate of Horticulture & Food Processing, Khanapara, Guwahati, Assam -22 for information and necessary action.
2. The petitioner Sri Joydeb Das, S/O-Lt. Karunamoy Das, H. No.16, Ambari Fatashil, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Guwahati for information.
3. Computer section for uploading in the website
4. Office File
5. Order Book

Joint Registrar i/c  
Assam Information Commission