

Case No. : SIC/KP(M)350/2021  
Complainant/ Appellant : Sri Joydeb Das  
Respondent : SPIO, Directorate of Horticulture & Food  
Processing, Khanapara, Guwahati  
Date of Hearing : 08/02/2022  
Complaint/ Second : Dr. A.P.Rout,  
Appeal heard by : State Chief Information Commissioner, Assam  
**O R D E R**  
**08/02/2022**

1. In continuation of earlier order dated 9.12.2021 and 19.1.2022, the hearing was taken up today.
2. The petitioner Sri Joydeb Das is present.
3. The Public Authority is represented by Sri Triranga Bharatiya Borah, SPIO, Director of Horticulture & Food Processing, Khanapara, Guwahati and Sri Bhaskar Kalita, ADO, Directorate of Horticulture & Food Processing, Assam.
4. The order dated 19.1.2022 clearly mentioned the SPIO to personally appear at the hearing and explain why no penalty be imposed on him for failure in furnishing the information within thirty days as per RTI Act, 2005.
5. The SPIO Sri T.B.Borah orally stated that he joined in February 2021 and they have confusion in understanding the RTI application, as no government sanction is received in the year 2019-2020 and 2020-2021, though some work orders were issued and work executed on basis of the sanction prior to 2019-2020 and 2020-2021.

However, he could not explain the delay in not replying to the RTI petition even mentioning whatever confusion they had about the question of the RTI petitioner.

He further stated that work order, bill etc will be given to the petitioner within a week.

6. In light of it, the SPIO Sri Triranga Bharatiya Borah is once again directed to reply to order dated 9.12.2021 which quote Though it is a fit case to impose penalty under Section 20 of the RTI Act, 2005, the Commission taking a lenient view give an opportunity to the SPIO to explain why penalty under Section 20 of the RTI Act, 2005 should not be imposed on him for his failure to furnish the information within the stipulated time period Unquote.

Further, the SPIO is directed to provide necessary information to the petitioner within fifteen days from the date of receipt of this order.

7. In anticipation of the proper compliance, the case is conditionally disposed off.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M)350/2021**

**Dtd. 8.2.2022**

Copy to:

1. The SPIO, Directorate of Horticulture & Food Processing, Khanapara, Guwahati 22 for information and necessary action as ordered above.
2. The petitioner Sri Joydeb Das, S/O Lt. Karunamoy Das, H.No.16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati 25 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Secretary & Registrar  
Assam Information Commission