

**OFFICE OF THE  
ASSAM STATE INFORMATION COMMISSION  
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M). 371/2009

Complainant/ appellant : Sri Dehi Ram Kalita

Respondent : Director of Industries & Commerce, Assam

Date of hearing : 20.5.2015

Complaint/ Second : Shri H.S. Das, IAS ( Retd)  
appeal heard by Chief Information Commissioner, Assam

**O R D E R**  
20.5.2015

The petitioner Shri Dehi Ram Kalita is present. The Public authority is represented by (1) Shri Dhireswar Kachari, SPIO in the o/o GM, DICC , Kamrup, (2) Sri Nripendra Narayan Sarna, ASPIO in the office of the GM, DICC, Kamrup (M), and (3) Sri Kanchan Kr. Bhogoty, Deputy Director & ASPIO, o/o CI&C. The petition dtd 20.1.14 submitted by Shri Dehi Ram Kalita requesting review of Commission's earlier order dtd 22.2.10 is taken up for hearing in presence of both the parties.

The petitioner submitted that he used to work as a Gr. IV employee against leave vacancy in the office of the GM, DICC, Kamrup. His grievance is that while fresh candidates were appointed against regular vacancies of Gr. IV employee, he was not considered for such appointment although he had been working in the said office from time to time against leave vacancies for several years.

The SPIO of GM, DICC submitted that they did not advertise the post of Gr. IV. Whenever vacancies arose, they used to write to Employment Exchange for a panel of names and selection was made for appointment from amongst the candidates whose names were received from the Employment Exchange. In pursuance of this Commission's order dtd 22.2.10 the SPIO has brought copies of their letters to the Employment Exchange, Guwahati requesting for panel of names of suitable candidates for recruitment to Gr. IV posts. They also brought a set of copies of appointment letters. Both the sets of documents were handed over to the petitioner in presence of the Commission today. It is seen that the petitioner's name was sent by the Employment

Exchange on two occasions. On both the occasions the Selection Committee did not select him.

In view of the above, it appears that the Commission's order dtd 22.2.10 has been complied with and removal of the grievance of the petitioner against his non-appointment appears to be outside the purview of this Commission.

The Commission notes that SPIO of GM, DICC, Kamrup (M) did not act on the order dtd 22.2.10 of this Commission for more than last five years. This is a serious lapse under the RTI Act, 2005. The GM, DICC, Kamrup (M) will furnish a list of the SPIOs of his office from 22.2.10 till date. Notices be served to all of them as to why penalty u/s 20 of the RTI Act, 2005 shall not be imposed on them for their inordinate delay in complying with the Commission's order dtd 22.2.10.

Fix.09.7.15 at 11.45 AM for hearing on the show cause notices to the SPIOs.

Sd/-

(H. S. Das)

Assam State Chief Information Commissioner,  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar  
Assam State Information Commission

Memo No. KP(M).371/2009

Dtd. 20.5.2015

Copy to:

1. The Director of Industries, Assam, Guwahati for information & necessary action.
2. The General Manager, DICC, Kamrup (M) for information and necessary action.
3. The SPIO in the office of the GM, DICC, Kamrup (M) for information and necessary action.
4. Shri Dehi Ram Kalita, Madhab Dev Nagar, Nambari Rly Club, Maligaon, Guwahati-11 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Secretary & Registrar  
Assam State Information Commission