

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

Case No. : NGN.30/2014

Complainant/ appellant : Shri Bijoy Chakrabarty

Respondent : Addl. Deputy Commissioner, Nagaon, Assam

Date of hearing : 11.5.2015

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

O R D E R
11.5.2015

The petitioner Shri Bijoy Chakraborty is present. The Public Authority is represented by Smt. Junu Das Saikia, SPIO & ADC, Nagaon. The SPIO & ADC, Nagaon made a written submission dtd 8.5.2015 which is entered into the case records. The second appeal petition dtd. 30.01.2014 is taken up for hearing in presence of both the parties.

The petitioner filed RTI petition dtd 16.5.2013 before the Deputy Commissioner, Nagaon seeking information on ten different points. It appears that the Deputy Commissioner transferred the RTI application to concerned branches of his office for necessary action. The petitioner submitted that he has received information from the Election Branch against points No. 4,5 & 7 of his RTI petition. The Commission perused the same and is satisfied that the petitioner has been given the required information.

Point No. 6, whether 'D' voter is found in other states of India, the Commission is of the view that it is the Election Commission of India who will be the competent Public Authority.

On point No. 8, Assistant Employment Officer vide his letter dtd 30.5.2013 has informed the petitioner that 1966 voter list is not a mandatory document for registration in Employment Exchange.

Regarding requirement of 1966 Electoral Roll for the purpose of issuance of passport, the Regional Passport Officer, Guwahati will be the competent authority and not the Deputy Commissioner, Nagaon.

The Commission directs the Deputy Commissioner to furnish the petitioner within 30 (thirty) days from the date of receipt of this order about the existing copy of Government instruction for requirement of 1966 Electoral Roll for the purpose of land selling and purchasing.

Point No. 9 is also covered under point No. 8.

Point No. 10, which relates to the position in other States of India relating to requirement of Electoral Roll of 1966 for issuance of PRC, the Deputy Commissioner, Nagaon cannot be treated as the competent Public Authority. The petitioner may take up with the respective States.

Coming to point No. 1, 2 & 3 of the RTI petition related to PRC (Permanent Residential Certificate), the Commission directed the Deputy Commissioner, Nagaon to provide within 30 (thirty) days from the date of receipt of this order, a copy of existing and currently valid Government instruction(s) on issuance of PRC.

Question No. 2, as to what is "citizenship" and difference between citizenship and PRC and voter list and PRC, the Commission is of the view that such questions do not come within the ambit of RTI Act, 2005. As regards question No. 3, i.e the names of Indian Provinces other than Assam where PRC system is prevailing, again the Deputy Commissioner, Nagaon cannot be treated as the competent Public authority. The petitioner may seek the information from the concerned States or from the Ministry of Home Affairs, Government of India.

With the above orders the second appeal petition is disposed of.

Sd/-

(H. S. Das)

Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commn.

Memo No. NGN30/2014

Dtd. 11.5.2015

Copy to:

1. The Deputy Commissioner, Nagaon, Assam for information and necessary action.
2. The SPIO in the office of the Deputy Commissioner, Nagaon, Assam for information and necessary action.
3. Shri Bijoy Chakraborty, President, Jugijan Block Congress Committee, PO- Jugijan Bazar, District- Nagaon, Assam for information..
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission