

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

Case No. : KP (M).352/2013
Complainant/ Appellant : Sri Dulal Bora.
Respondent : The SPIO, O/o Commissioner of Panchayat and Rural
Development, Panjabari, Guwahati
Date of hearing : 30.12.2015
Complaint/ Second Appeal heard by : Shri H.S. Das, IAS (Retd),
Chief Information Commissioner, Assam

O R D E R
30.12.2015

The petitioner/appellant Sri Dulal Bora is present. The Public Authority is represented by Sri S.A. Laskar, Joint Director & SPIO, Commissionerate of Panchayat and Rural Development Department, Guwahati accompanied by Sri B.C. Kalita, Senior Assistant.

The second appeal petition dated 13.06.2013 is taken up for hearing in presence of both the parties.

The SPIO & Joint Director has made a written submission dated 30.12.2015, which is entered into the case records. In his written submission, the SPIO & Joint Director has stated that after receipt of the RTI Application dated 13.03.2013, it was transferred to all the PD, DRDAs and CEOs of Zilla Parishad vide letter dated 17.04.2013 with an instruction to furnish the required information to the applicant directly with intimation to the Commissionerate. Thereafter, on receipt of the first appeal petition dated 30.04.2013, another letter dated 03.06.2013 was issued to the CEOs of all the Zilla Parishad for furnishing of the required information to the applicant.

From perusal of the case records, it is seen that the First Appellate Authority did not hear the first appeal and dispose it off with a speaking order as required under the RTI Act, 2005. It is also seen that directions issued by the Commissionerate of Panchayat and Rural Development Department to all PDs and CEOs of all Zilla Parishad have been ignored by them. This seems to be a case of insubordination and negligence of duties on their part.

The information on addresses with PIN Codes and names of all the Block Development Officers in the state along with district wise breakup of the same is expected to be available in the office of the Commissionerate of Panchayat and Rural Development.

The Commission therefore, directs the SPIO, Commissionerate of Panchayat and Rural Development to furnish the information to the applicant within 15 days from the date of receipt of this order.

As regards the information on Junior Engineers working in the Block offices, their names and tenures as on the date of the RTI Application should be available with the Block Offices. The SPIO is therefore directed to issue instructions to all the Block Offices to furnish the information directly to the applicant within 30 days from the date of receipt of this order. Failure on the part of any Block Officer to comply with such instruction may be treated as negligence of duties and disregard to instruction of the Commissionerate. Their Controlling Authority i.e. Government of Panchayat and Rural Development may thereafter, draw departmental proceedings against the delinquent BDO's.

With the above order, the second appeal petition dated 13.06.2013 is disposed.

Sd/-
(H.S Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Copy to:

1. The SPIO in the office of the Commissioner of Panchayat and Rural Development, Panjabari, Guwahati-781037 Assam for information and necessary action..
2. The First Appellate Authority/The Commissioner of Panchayat and Rural Development, Panjabari, Guwahati-781037 for information.
3. Sri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati, Dist- Kamrup(M), Assam, Pin- 781022 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission