



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

Case No. : NLB.6/2010
Complainant/ appellant : Shri A.K. Rakshit
Respondent : Secretary, Govt. of Assam, Irrigation Deptt.
Date of hearing : 24. 2.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
24.2.2016

The petitioner Shri A.K. Rakshit is present. He is accompanied by Shri Ajit Das and Shri Dharendra Malla Buzarbaruah. The Public Authority is represented by (1) Md. A.S. Abdullah Barbhuyan, Under Secretary & SPIO of Irrigation Deptt., (2) Shri P. Gogoi, Asstt. Executive Engineer (TC), Director Design, Irrigation Deptt., and (3) Shri T.K. Sarma, Addl. Chief Engineer (M&I) accompanied by three others. The Second Appeal petition dtd 3.2.10 and subsequent prayers dtd 3.7.10, 14.7.11, 8.12.12 and 4.12.15 are taken up for consideration in presence of both the parties.

The SPIO cum Under Secretary to the Govt. of Assam, Irrigation Department has submitted a written statement dtd 23.2.16, which is entered into the case records.

From perusal of the case records it is seen that the petitioner Shri A.K. Rakshit filed an RTI petition dtd 9.3.09 seeking information on action taken by the Executive Engineer of Irrigation Department, Nalbari Division on the instructions given to him vide Chief Engineer's letter No. CEI(E)89/93/Pt/433 dtd 21.11.95 relating to retrenchment of some Muster Roll workers. In the 3rd paragraph of the RTI petition the petitioner has again referred to his letter dtd 27.1.09 addressed to the Secretary, Irrigation Department and sought complete and correct information on the action taken in the last paragraph i.e. paragraph 7 of his letter dtd 27.1.09. The last i.e. 7th paragraph of his letter dtd 27.1.09 requested the Secretary, Irrigation Department to take appropriate action against the said Executive Engineer, Nalbari Irrigation Division for not complying with the Chief Engineer,

Irrigation's letter dtd 21.11.95 referred to above and also to take back services of the retrenched MR workers in terms of Chief Secretary's letter dtd 13.10.95.

From the case records it is also seen that the Under secretary to the Govt. of Assam, Irrigation Department had written to the petitioner on 26.3.10 enclosing a copy of the précis on retrenchment of 15 nos of MR workers of Nalbari Irrigation Division signed by the Executive Engineer, Irrigation Divn. Nalbari on 24.9.09. Although the précis answers the points raised by the petitioner in his RTI petition, yet for the sake of further clarity, this Commission directs the Under Secretary of the Irrigation Department, Govt. of Assam to give specific information to the petitioner with regard to action, if any, taken by the Department on the then Executive Engineer, Nalbari Irrigation Division for any lapse on his part and for not acting on Chief Engineer, Irrigation's letter No. CEI(E).89/93/Pt/433 dtd 21.11.95 and action taken by the Department on the then Chief Secretary's letter dtd 13.10.95 on the subject of retrenchment of MR workers, within 15 days from the date of receipt of this order.

In view of the above order, the Second Appeal petition dtd 3.2.10 and subsequent petitions filed by the petitioner are disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. KP(M)./2013/

Dtd. 24.2.2016

Copy to:

1. The Under Secretary to the Govt. of Assam & SPIO of Irrigation Department, Dispur, Guwahati-6 for information and necessary action.
2. Shri A.K. Rakshit, Law Secretary, Advisory Board, A.G. S. S., Barama, Dist. Baksa (BTAD), Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission