



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

Case No. : **KP(M).102/2014**

Complainant/ appellant : **Sri Dulal Bora**

Respondent : **Commissioner & Secretary, Agriculture Department**

Date of hearing : **20-04-2016**

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

O R D E R

The petitioner Sri Dulal Bora is absent without information. The public authority is represented by (1) Sri Kulendra Talukdar, ACS, Joint Secretary, & SPIO of Agriculture Department, Dispur, Guwahati-6 along with (2) Sri Ananda Ch. Karmakar SPIO and Joint Director of Agriculture, (P.P) of the office of the Director of Agriculture, Assam, Khanapara, Guwahati 22 and (3) Sri Palashmani Baruah, SDAO (Surveillance) of the same office.

In view of the large number of cases pending before this Commission, the second appeal petition dated 15-10-2013 filed by the applicant Sri Dulal Bora with reference to his RTI petition dated 6-7-2013 is taken up for consideration on merit, ex-parte in the absence of the applicant/ appellant.

From perusal of the case records, it is seen that the SPIO and Joint Secretary, Agriculture Department has submitted a written submission dated 6th April, 2016 stating that the RTI petition dated 6-7-2013 filed by Sri Dulal Bora was received in the department on 12-7-2013 and it was transferred to the Director of Agriculture with a request to furnish the information to the applicant directly within the stipulated time, as the concerned person, i.e. Sri Bikash Baruah, in respect of whom the petitioner filed his RTI petition, is an employee of the Directorate of Agriculture.

The SPIO of the Director of Agriculture produced before this Commission a copy of letter dated 7-2-2014 from the Assistant Director of Agriculture (SS) , Ulubari, Guwahati, addressed to Sri Dulal Bora, the applicant, informing him that since Sri Bikash Baruah's name does not figure in the Attendance Register of the office of the Assistant Director of Agriculture (Soil Survey), it was not possible to give the accounts of his attendance in office for the period from 1st January, 2006 to 30th June, 2013. The Assistant Director, however, has enclosed a copy of the Attendance Register from 1st January, 2006 to 1st June, 2013.

It appears that the papers presented by the SPIO and Joint Director of Agriculture, Govt. of Assam has no relevance to the instant appeal petition and RTI petition, whose subject matter is – leave of different types taken by Sri Bikash Baruah from 1st January, 2001 to 30th June, 2013 along with copies of his leave applications. The petitioner also wanted to know the leave admissibility of a Govt. employee in a year. It appears that this RTI application has not been addressed by the Director of Agriculture who is the Appointing and Controlling Authority of Sri Bikash Baruah, UDA in the office of the Assistant Director of Agriculture (SS), Ulubari at Guwahati, as deposed by the SPIO of the Directorate.

Against the above facts and circumstances of the case, this Commission directs the SPIO of the Directorate of Agriculture , Assam to furnish the sought for information to the petitioner **within 15 days from the date of this order by Registered Post.**

Enclose a copy of the RTI petition dated 6-7-2013 and 2nd appeal petition dated 15-10-2013 to the Director of Agriculture along with copy of this order.

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

Authenticated true copy.

**Sd/-
Registrar
Assam Information Commission**

Memo No.SIC/KP(M)/102/ 2014/

Dtd. 20-4-2016

1. Sri Kulendra Talukdar, ACS, Joint Secretary, Agriculture Department, Dispur, Guwahati-6.
2. Sri Dulal Bora, Koinadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
- 4.` Office File.

**Registrar
Assam Information Commission**