



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

Case No. : **KP(M).193/2013**

Complainant/ appellant : **Sri B.C. Thakuria**

Respondent : **PCCF, Assam**

Date of hearing : **10-05-2016**

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

O R D E R

The petitioner Sri B. C. Thakuria is absent without any information. The public authority is represented by Sri Y. Suryanarayana, IFS, Addl. PCCF, accompanied by Sri P. K. Deka, ADS, DCF (Campa) in the office of Pr. Chief Conservator of Forest and Head of Forest Force, Assam.

The complaint petition dated 6-4-2013 filed by Sri B. C. Thakuria is taken up for consideration ex-parte, in the absence of the complainant.

From perusal of the case records, it is seen that the petitioner vide his RTI petition dated 21-1-2013 wanted copies of year-wise utilization certificates of funds allotted to the Nodal Office against **NaRMIL** project since its inception. The forest officials present today deposed that the year of inception of **NaRMIL** project is Financial Year-2004-2005.

It is also seen from the case records that the SPIO of the office of Pr. CCF, Assam vide his letter dated 30th January, 2013 informed the petitioner that the information sought for by him was not available in the office of Pr. CCF. This same reply was also given to the petitioner by the FAA and CCF (Planning) vide letter dated 19th March, 2012.

When asked by this Commission, the Addl. PCCF and the DCF, Campa submitted that the sought for information, i.e., utilization certificates, are available with the concerned DFOs. There are nine (9) Forest Divisions who were entrusted with the responsibility of implementation of the **NaRMIL** Project. When again asked by this Commission as to why the petitioner was not advised that the sought for information are available with the concerned DFOs, the forest officials present produced before this Commission, a copy of letter dated 4th January, 2013 from the First Appellate Authority and CCF (Planning), Govt. of Assam, addressed to the petitioner Sri B. C. Thakuria. By that letter the petitioner was advised, in response to another RTI application by the same petitioner on the same subject, that information related to Utilization Certificates of **NaRMIL** project were available with the Project DFOs and the petitioner was advised to submit RTI petitions separately to the respective Project DFOs. The project DFOs were :- (1) Kamrup (West), (2) Nagaon (South), (3) Nagaon (4) Digboi, (5) Lakhimpur, (6) Haltugaon, (7) Karimganj, (8) Parbatijhora and (9) N.C. Hills.

It is also seen from the records produced by the DCF that the petitioner was asked by the SPIO in the office of Pr. CCF vide letter dated 15th November, 2012, that is before FAA's advise to file separate RTI before the concerned Project DFOs, to deposit an amount of Rs. 202/- towards the cost of photo copying the required documents vide letter dated 15th November, 2012. It appears that the petitioner neither filed separate RTI petitions to the concerned Project DFOs, as advised by the FAA, nor did he deposit the cost of photo copy, as advised by the SPIO of the office of PCCF, vide letter dated 15th May, 2012.

In view of the above, it appears that the petitioner Sri B.C. Thakuria's RTI petition dated 21-1-2013 and his subsequent complaint petition dated 6-4-2013 are frivolous and vexatious, which is liable for dismissal.

However, the Commission observed that as Pr. CCF and Head of Forest Force, Assam, his office is expected to have the information regarding proper utilization of funds which were sanctioned and released for implementation of **NaRMIL** Project, since its inception in 2004-2005 till its closure in 2015-2016.

This Commission, therefore, directs the Pr. CCF and Head of Forest Force, Govt. of Assam, to collect the required information regarding sanction, release and utilization of funds of **NaRMIL** project, including utilization certificates, and advise this Commission **within 45 days** from the date of receipt of this order, that this order has been complied with. The information so collected shall also be put up in PCCF and HOFF's website under Section 4 of the RTI Act. This is considered necessary **for the sake of probity and accountability as well as for future RTI petitions and also for addressing future queries from other authorities.**

With the above order, the instant complaint petition dated 6-4-2013 is dismissed.

Sd/-

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No.SIC/KP(M)/193 /2013/25-A

Dtd.10-5-2016

1. Sri Y. Suryanarayana, IFS, Addl. PCCF, Office of the Pr. CCF, In Charge of Head of Forest Force, Assam for information and necessary action.
2. Sri B. C. Thakuria, 12 Santipur I.G Road, Guwahati- 781 009 for information .
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission