

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

Case No. : KP(M).18 /2013
Complainant/ Appellant : Shri Surendra Nath Das
Respondent : Power Department, Govt. of Assam
Date of hearing : 26.5.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

26.5.2016

The petitioner Shri Surendra Nath Das is absent without any information. The Public Authority is represented by Shri Mihir Barua, ACS, Joint Secretary of the Power Deptt., Govt. of Assam. The Second Appeal petition dtd. 5.10.12 is taken up for hearing ex-parte in absence of the petitioner.

From perusal of the case records it is seen that the petitioner Shri S.N. Das filed an RTI petition before the SPIO of the office of the Principal Secretary to the Govt. of Assam, Power Department seeking information on the action taken by the Principal Secretary of Power Department, Govt. of Assam on his petition dtd 27.7.12 which was filed by the petitioner before the Chief Secretary, Govt. of Assam through the Principal Secretary Power Department.

The Secretary, Power (Elect) Department, Govt. of Assam has made a written submission dtd 25.5.16 stating that the petitioner's RTI petition dtd 3.8.12 was forwarded to the Chief General Manager (HR) of APDCL vide letter dtd 10.8.12 for submission of a report on the matter. The Secretary has mentioned that APDCL has not furnished any reply till date.

This Commission is of the view that the subject matter of the RTI application dtd 3.8.12 read with petitioner's prayer dtd 27.7.12 made before the Chief Secretary, Govt. of Assam through the Principal Secretary, Power Department, is his service matter and claim of compensation of Rs. 10 lakh for denial of promotion. The Jt. Secretary of the Power Deptt., Shri Mihir Barua, ACS deposed that the petitioner Shri S.N. Das was an employee under the APDCL and before that under the State Electricity Board. Therefore, decision on his prayer dtd 27.7.12 has to be

taken by the concerned Board of Directors of APDCL or ASEB, as the case may be.

In view of the above, this Commission directs the SPIO of APDCL, who is treated as the deemed SPIO of the APDCL u/s 5(5) of the RTI Act, 2005 to inform the petitioner about action taken, if any, by the concerned authorities of the APDCL after the petitioner's prayer dtd 27.7.12 was forwarded to the CGM (HR), APDCL vide letter No. PEL.133/2009/Pt./32 dtd 10.8.12, within 45 days from the date of receipt of this order.

With the above order, the Second Appeal petition dtd 5.10.12 is disposed of.

Sd/-

(H. S. Das)

Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar

Assam Information Commission

Memo No. SIC/ KP(M).18/2013/25-A

Dtd. 26.5.2016

- Copy to:
1. The Deputy General Manager (HR) & SPIO of the office of the Managing director, APDCL, Bijulee Bhawan, Guwahati-1 for information and necessary action.
 2. Shri Surendra Nath Das, Indralaya, Third Floor North, House No. 18, Principal J. baruah Road, Chenikuthi, Guwahati-3 for information.
 3. Computer Section for uploading in the Website.
 4. Office File.
 5. Guard File.

Registrar

Assam Information Commission