

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

Case No. : KP(M).486/2014
Complainant/ Appellant : Shri Pradip Kalita
Respondent : Director of Agriculture, Govt. of Assam
Date of hearing : 18.6.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

18.6.2016

The petitioner Shri Pradip Kalita is absent. However, he has sent a written request authorizing Shri Dhiren Baishya, Joint Secretary of Assam Krishak Shramik Unnayan Parishad to represent his case before this Commission. His prayer is granted. The Public Authority is represented by (1) Shri Ananda Ch. Karmakar, Jt. Director of Agriculture (PP) & SPIO of the Directorate of Agriculture, Khanapara, (2) Shri M.P. Rownier, Jt. Director of Agriculture (C&F), Khanapara, (3) Shri Polashmoni Baruah, SDAO (Surveillance), (4) Shri Jiban Kr. Biswas, Inspector of Agriculture, Directorate of Agriculture, and (5) Shri Ganesh Ch. Handique, Sr. Asstt of the Agriculture Directorate. The Second Appeal petition dtd 19.7.2014 is taken up for hearing in presence of both the parties.

The Jt. Director cum SPIO of the Directorate of Agriculture, Shri Ananda Ch. Karmakar has submitted a written statement dtd 14.6.16, which is entered into the case records.

From perusal of the written submission and its enclosures, it is seen that the Asstt. Director of Agriculture (Cash Crop) wrote to the petitioner Shri Pradip Kalita on 14.6.16 to deposit an amount of Rs. 800.00 towards the cost of photocopying of the required documents, which was estimated to be about 400 pages. The petitioner did not deposit the required amount and therefore, the SPIO did not furnish the information sought for. The information sought for was relating to procurement, district-wise allotment of lime and list of final beneficiaries during the years 2010-14.

This Commission directs the SPIO and Jt. Director of Agriculture of the Directorate of Agriculture to allow the petitioner to inspect the relevant records and documents during office hours on any working day within 15 days from the date of receipt of this order and also allow him to take notes and photocopies of relevant admissible documents free of cost up to 50 copies and thereafter on payment of Rs. 2.00 for every additional page of photocopy.

As regards the list of final beneficiaries, it is noted that the Deputy Director of Agriculture (EO) has advised the petitioner Shri Pradip Kalita vide letter dtd 18.7.14 to collect the required information from the concerned District Agriculture officers, who are the holders of the information.

This Commission also observes that the information sought for by the petitioner should have been proactively disclosed by the Directorate of Agriculture u/s 4 of the RTI Act, 2005. This is a statutory requirement under the RTI Act. The Directorate of Agriculture does not seem to have complied with this statutory requirement. He is directed to comply with this within 90 days from the date of receipt of this order.

With the above order, the Second Appeal petition dtd 19.7.14 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).486/2014/20-A

Dtd. 18.6.2016

- Copy to:
1. The Director of Agriculture, Govt. of Assam, Khanapara, Guwahati-22 for information and necessary action.
 2. The Joint Director (PP) & SPIO of the Directorate of Agriculture, Govt. of Assam, Khanapara, Guwahati-22 for information and necessary action.
 3. Shri Pradip Kalita, Lakhiminagar Tiniali, Hatigaon Road, Lord Enclave, Guwahati-38 for information.
 4. Computer Section for uploading in the Website.
 5. Office File.
 6. Order Book.

Registrar

Assam Information Commission