

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

Case No. : KP(R).213 /2014
Complainant/ Appellant : Shri Mamat Kalita
Respondent : Environment & Forests Department, Govt. of Assam
Date of hearing : 29.6.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
29.6.2016

The petitioner Shri Mamat Kalita is present. The public authority is represented by (1) Shri Aswini Kumar Bhattacharyya, Under Secretary & APIO of Environment & Forests (E&F) Department, Dispur, and (2) Shri Prabodh Haloi, Senior Admn. Assistant, E&T Deptt., Dispur. The second appeal petition dtd 12.2.14 is taken up for hearing in presence of both the parties.

From perusal of the case records it is seen that the petitioner filed an RTI petition dtd 15.10.13 before the SPIO of Department of Environment & Forests, Govt. of Assam seeking copies of annual return of assets and liabilities of four Indian Forest Services Officers.

The SPIO and Deputy Secretary of E&F Deptt. informed the petitioner vide letter dtd 12.11.13 that the information sought for is third party information. Consent of the officers concerned were sought for and that all four of them replied in the negative. Hence the SPIO refused to disclose the sought for information. Subsequently on 12.11.13 the petitioner again wrote to the SPIO of E&F Department for disclosure of the information sought for, citing rule 16 of All India Services (Conduct) Rules, 1968. The petitioner's contention is that the said rule does not mention that the annual return of assets and liabilities of All India Services Officers is a confidential document.

This Commission directs the petitioner as well as the SPIO of E&F Deptt. , Govt. of Assam to come prepared with the following documents on the next date of hearing -

- (a) A copy of the above mentioned rule 16 of All India Services (Conduct) Rules, 1968,
- (b) Instructions, guidelines and provisions, if any, issued by Govt. of Assam and/ or by the DoPT, Govt. of India regarding declaration of assets and liabilities or immovable property statement of All India Services officers in the public domain.

Fix 16.7.2016 at 11.30 AM for next hearing.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ KP(M).213/2014/12-A

Dtd. 29.6.2016

- Copy to:
1. The SPIO & Deputy Secretary of Environment & Forests Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
 2. Shri Mamat Kalita, House No. 20, Urbara Path, Lakhiminagar, Dispur, Guwahati-38 for information.
 3. Computer Section for uploading in the Website.
 4. Office File.
 5. Order Book.

Registrar
Assam Information Commission