

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

Case No. : KP(M).493 /2014
Complainant/ Appellant : Shri Bikash Sarma
Respondent : Chief Engineer, Irrigation, Govt. of Assam.
Date of hearing : 30.6.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

30.6.2016

The petitioner Shri Bikash Sarma is absent without any information. The public authority is represented by:- (1) Shri Apurba Kr. Bhattacharyya, Ex. Engineer, Goalpara Division, Irrigation, Goalpara (2) Shri Sunit Kr. Bordoloi, EE (Mech), Nagaon Mech. Division, Irrigation, (3) Shri Biswajit Hazarika, AEE (Mech), Nagaon Mech. Sub- Divn. (Irrigation), (4) .Shri Prosanta Gogoi, Asstt. Executive Engineer (TC), Director, Design (I), Guwahati-3, (5) Shri Mridul Kr. Das, then AEE (TC), Goalpara Divn., Irrigation, (6) Shri Bhoirab Jyoti Hazarika, Junior Engineer (C), Director, Design (I), Guwahati-3, (7) Shri Atul Ch. Das, JE, office of the Director, Design (I), Assam. The second appeal petition dtd 27.5.14 is taken up for consideration ex-parte in absence of the petitioner.

From perusal of the case records it is seen that the petitioner filed an RTI petition dtd 29.11.13 before the SPIO of the Department of Irrigation, Govt. of Assam seeking information about nine different aspects of implementation of Accelerated Irrigation Benefit Programme (AIBP) in the State of Assam during the period 1996 to March, 2013.

It is also seen that the RTI petition was transferred by the SPIO & Under Secretary of Irrigation Department, Govt. of Assam to the Chief Engineer, irrigation vide letter dtd 3.2.14 requesting him to furnish the information directly to the applicant. The Chief Engineer, Irrigation and FAA has made a written submission dtd 29.6.16 narrating the actions taken by him on the RTI petition. The Executive Engineer, Nagaon, Mechanical Divn., Irrigation and Executive Engineer, Goalpara Irrigation Division, Goalpara have also submitted separate written statements dtd 29.6.16 and dtd. 30.6.16 respectively.

From the written submission it appears that the Chief Engineer, Irrigation and the two Executive Engineers furnished part of the information to the petitioner. It transpired in course of today's hearing that besides the Chief Engineer, Irrigation, Executive Engineers incharge of different Divisions are also holders of some of the information sought for by the petitioner. Since the number of such Executive Engineers are many, the simple course of action for the Chief Engineer, Irrigation was to furnish the part of the information which is available with him and advise the petitioner about

the names and addresses of the other public authorities, i.e., the Divisional Engineers with whom the remaining sought for information would be available in their capacity as holder of those information, together with the advice to the petitioner to file separate RTI petition before those public authorities.

It is seen that the SPIO in the office of the Irrigation Department transferred the RTI petition dtd 29.11.13 much after expiry of the stipulated period. In view of the above, the Chief Engineer, Irrigation is directed to furnish the part of the required information, which is available with him to the petitioner within 15 days from the date of receipt of this order, if not already furnished.

As for the remaining information for which the concerned Superintending Engineers or Divisional Engineers are the holders of information sought for, the SPIO in the office of the Chief Engineer will advise the petitioner about the names and addresses of those Superintending Engineers or Divisional Engineers so that the petitioner can file separately RTI petition to them.

In view of the above facts and background of the case, the Secretary, Irrigation Department, Govt. of Assam and Chief Engineer, Irrigation, Govt. of Assam are directed to be careful and diligent in dealing with RTI matters

With the above order, the second appeal petition dtd 27.5.14 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).493/2014/62-A

Dtd. 30.6.2016

Copy to:

1. The Chief Engineer, Irrigation, Govt. of Assam, Chandmari, Guwahati-3 for information and necessary action.
2. Shri Bikash Sarma, 3 A, Amulya Nagar Batahghuli road, Panjabari, Guwahati-37 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission