



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

Case No. : KP(M).96 /2015
Complainant/ Appellant : Shri Rajib Khaund
Respondent : Axom Sarba Siksha Abhyan Mission
Date of hearing : 17.8.2016
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

17.8.2016

The petitioner Shri Rajib Khaund is present. The public authority is represented by -(1) Shri K.K. Kalita, SPIO, SSA, Assam, and (2) Shri P.K. Chakraborty, St. Consultant, AS & ASPIO, SSA, Assam. The second appeal petition dtd 12.11.15 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 19.8.15 before the SPIO of the office of the Mission Director, Sarba Siksha Abhyan Mission, Assam, seeking information against four points. Against first point the SPIO of SSA Mission gave the information regarding tenure of Shri J.N. Pathak, ACS in SSA Mission, Assam. This Commission directs the SPIO of the SSA Mission, Assam to transfer immediately the petition u/s 6(3) to the Personnel (A) Department, Govt. of Assam, who are the controlling authority of the ACS officers.

Regarding point No. 2 also the SPIO of SSA Mission, Assam furnished the information regarding salary drawn by ACS officer Shri J.N. Pathak during his tenure in SSA Mission, Assam. Here this Commission directs the petitioner to file separate petitions before the concerned drawing and disbursing officers, who drew and disbursed the salary of Shri J.N. Pathak, ACS during his postings under various posts, after the petitioner receives the particulars of various postings of the officer concerned from the Personnel (A) Department in response to his RTI petition.

As regards point No. 3 &4 of the RTI petition, this Commission directs the SPIO of SSA Mission, Assam to immediately transfer the RTI petition to Personnel (A) Department for taking necessary action from their end.

The SPIO of the SSA Mission, Assam should have transferred the RTI petition to the Personnel (A) Department as ordered above within 5 (five) days from the date of receipt of the RTI petition. He failed to do so. He is directed to show cause within 15 days from the date of receipt of this order as to why action u/s 20 of the RTI Act, 2005 shall not be taken against him for his lapse in performing the duties under the RTI Act, 2005. He is also directed to submit his written statement.

Fix 19.9.16 at 11.30 AM for the next date of hearing.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M). 96 /2015/19-17Aug16
17.8.2016

Dtd.

Copy to:

1. The SPIO in the office of the Mission Director, Axom Sarba Siksha Abhyan Mission, Kahilipara, Guwahati-19 for information and necessary action.
2. Shri Rajib Khaund, 13 B, Hrishikesh Apartment, New Guwahati tinali, Noonmati, Guwahati-20 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission