

Case No. : KP(M)621/2016
Complainant/ Appellant : Sri Joydeb Das
Respondent : Directorate of Agriculture
Date of Hearing : 16-2-2017
Complaint/ Second appeal heard by : Shri H. S. Das, IAS (Retd)
State Chief Information Commissioner, Assam

O R D E R**16-2-2017**

The petitioner Sri Joydeb Das was present. The public authority is represented by :- (1) Sri Ananda Ch. Karmakar, JDA(PP) and SPIO, of the office of Director of Agriculture, Khanapara, (2) Dr. Mrinal Barman, Deputy Director of Agriculture of the office of Director of Agriculture (3) Sri Palashmoni Baruah, SDAO(PP) (4) Md. Abdul Kadir MD Iqbal, AAE (EK Cadre) , H.Q, (5) Sri Ritumoni Bora, Finance Officer (RKVY) , (6) Sri M. P. Rownier, M.D, Assam Seeds Corporation Ltd. and (7) Ms. Priyanka Hazarika, Administrative Officer, Assam Seeds Corporation Ltd.

The complainant reported by his complaint petition dated 25-1-2017 that the Managing Director of Assam Seeds Corporation Ltd. and the Director of Agriculture, Govt. of Assam are yet to comply with this Commission's order dated 28-9-2016. By that order they were directed to take necessary actions for uploading the informations sought for by the petitioner in their official websites within a period of three months.

The officials of the Directorate of Agriculture and of Assam Seeds Corporation Ltd. submitted a joint written statement narrating the actions taken by them for opening a common official website under the Department of Agriculture, covering all the Directorates and PSUs under the department. It was also mentioned that the official website is yet to become operational and hence not accessible to information seekers.

The Agriculture Department officials also added in their W/S that the needful to be done by the Directorate of Agriculture for opening their Departmental website will be completed within the month of February, 2017 and thereafter, it will be submitted to NIC through the Govt. of Assam, Agriculture Department.

In this connection this Commission referred to its earlier order dated 23-6-2016 in appeal case No. KP(M).485/2014, also involving the Director of Agriculture, Govt. of Assam as the respondent, where the Chief Secretary to the Government of Assam as the head of the Administrative machinery in the state was directed to issue appropriate instructions to all defaulting public authorities under his administrative jurisdiction to comply with the requirements of section-4 of the RTI Act retrospectively at least with effect from 1-4-2014 and to comply

prospectively with sections 5(1) and 5 (2) of the RTI Act within 90 days from the date of receipt of this order.

It seems that Agriculture Department is yet to comply with the above direction even though nearly eight (8) months have elapsed. Non compliance of this Commission's earlier order dated 23-6-2016 is, therefore, established.

In this context, this Commission would also like to bring on record that a large number of complaint and second appeal cases relating to alleged financial irregularities in different organs of the Agriculture Department, Govt. of Assam are being received in this Commission.

Transparency and timely disclosure of informations as required under Section-4 of the RTI Act, 2005 are effective tools to promote accountability in the works of the public authorities and in preventing financial irregularities.

In view of the above this Commission passes the following orders :-

- (1) **Additional Chief Secretary, Agriculture Department, Govt. of Assam is directed to look into the matter and ensure that the departmental website becomes operational within 30th April, 2017 and necessary informations is disclosed on-line in compliance of Section 4 of the RTI Act, 2005.**
- (2) **Pending operationalization of the departmental website, Director of Agriculture, Govt. of Assam and the Managing Director, Assam Seeds Corporation Ltd. are directed to allow the petitioner to inspect all relevant records with reference to his RTI petition dated 18-4-2016, so as to facilitate furnishing of the remaining informations by way of taking notes and photocopies of documents free of cost up to 25 pages of photocopies from each and thereafter, on payment of Rs. 2/- against each page of photocopy. Inspection of records shall be done during office hours on any working day within 15 days from the date of receipt of this order.**

Fix 4th May, 2017 at 11.30 A.M for review of the position regarding compliance.

Sd/-

**(H. S. Das)
State Chief Information Commissioner,
Assam**

Authenticated true copy

**Sd/-
Registrar
Assam Information Commission**

Copy to:

- 1) Additional Chief Secretary to the Government of Assam, Agriculture Department for information and necessary action.
- 2) Director, Agriculture, Khanapara, Guwahati -22 for information and necessary action.
- 3) Sri M. P. Rownier, M.D, Assam Seeds Corporation Ltd., Khanapara, Guwahati-22 for information and necessary action.
- 4) Sri Ananda Ch. Karmakar, JDA(PP) and SPIO, of the office of Director of Agriculture, Khanapara,for information and necessary action.
- 5) Sri Joydeb Das, S/O Lt. Karunamoy Das, House No. 16 , Kushal Konwar Road, Near Mayur Krishna Hall, Ambari, Fatashil Guwahati-25 for information.
- 6) Computer Section for uploading in the Website.
- 7) Office file.
- 8) Order Book.

**Registrar
Assam Information Commission**