

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

Case No. : KP(M).799/2016
Complainant/ Appellant : Shri Pankaj Kumar Das
Respondent : BDO, Raha Development Block
Date of hearing : 30.01.2017
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

30.01.17

The petitioner Shri Pankaj Kr. Das is present. The public authority is represented by:- (1) Shri Bhupen Saikia, President, Ghahi GP, (2) Shri Naba Laskar, Secretary, Ghahi GP, and (3) Shri Ranjan Kr. Gohain. The second appeal petition dated 25.11.16 is taken up for hearing in presence of both the parties.

The SPIO of Nagaon Zilla Parishad Shri Ranjan Kr. Gohain has submitted a written statement dated 27.1.17 narrating the actions taken by him after receipt of the RTI petition dated 12.5.16. The gist of his WS is that the RTI petition was transferred to the BDO, Raha Development Block and Secretary of Ghahi GP with copy to the petitioner in respect of the informations which are held by the BDO, Raha Dev. Block and the Secretary, Ghahi GP respectively. The Secretary of Ghahi GP, who was present today, had already furnished some informations to the petitioner vide letter dated 8.8.16, but the petitioner was aggrieved because it did not contain complete informations. The petitioner submitted that he will be satisfied if informations in respect of para No. 6(ii), 6 (iii) & 6 (v) of his second appeal petition dated 25.11.16 are furnished to him.

As regards para 6 (ii) of the second appeal petition the Secretary, Ghahi GP stated that he is in a position to furnish the work completion certificates to the petitioner today. On instruction from this Commission he handed over the same to the petitioner before this Commission today.

Regarding para No. 6 (iii) the Secretary of the Ghahi GP submitted that as on the date of the RTI petition i.e. 12.5.16, he had received an amount of Rs. 10,86,143.00, which was transferred to him by the CEO of Nagaon Zilla Parishad for implementation of Schemes under 14th Finance Commission grants for the year 2015-16. Similarly, funds received by him for schemes under 4th Assam Finance Commission (Rs. 4,91,395.00) and IAY (Rs. 6,75,000.00) were already intimated to the petitioner. However, the amount of fund received under MGNREGA for the year 2015-16 are not mentioned. This Commission directs the Secretary, Ghahi GP to furnish the information relating to the schemes selected for implementation under 14th Finance Commission, IAY and 4th Assam Finance Commission and the Stage of implementation to the petitioner within 15 days from the date of receipt of this order.

As regards information relating to MGNREGA, the SPIO of Nagaon Zilla Parishad submitted that the sought for information will be available with the BDO, Raha Development Block. Accordingly this Commission directs the BDO, Raha Development Block to furnish the sought for information to the petitioner with regard to MGNREGA fund received by him and schemes selected for implementation as on 12.5.16 in accordance with the relevant portion of the RTI Act, 2005. This Commission also noted that the BDO, Raha Dev. Block had written to the petitioner Shri Pankaj Kr. Das on 31.5.16, (i.e. within 30 days from the date of the RTI petition) to pay Rs. 500.00 towards the cost of furnishing the information. This Commission directs the BDO, Raha Dev. Block to furnish the required information on receipt of Rs. 2.00 per photocopy page.

As regards para 6 (v) of the second appeal petition, the petitioner was aggrieved due to non-receipt of work completion certificates against implementation of IAY scheme by Ghahi GP during the years 2013-14, 2014-15 and 2015-16. The Secretary, Ghahi GP stated that he has brought with him the work completion certificates and on instruction from this Commission he handed over the same to the petitioner today.

If the petitioner still remains dissatisfied with the information furnished to him by the Secretary, Ghahi GP and BDO, Raha Development Block in compliance with this order of the Commission, the petitioner will personally contact them for rectification of the deficiencies/infirmities. If the BDO, Raha Dev. Block and/or the Secretary, Ghahi GP fails to comply with the order within 15 days, then the petitioner will be at liberty to approach this Commission within 45 days from the date of receipt of this order.

With the above order the second appeal petition dated 25.11.16 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).799/2016/16-A

Dtd. 30.01.2017

Copy to:

1. The Block Development Officer, Raha Development Block, Raha, Dighaliati, Lawphulbari, Dist. Nagaon, PIN- 781023 Assam for information and necessary action.
2. The Secretary, Ghahi Gaon Panchayat. Dist. Nagaon, Assam for information and necessary action.
2. Shri Pankaj Kr. Das, Flat No. 303, Sanjoy ABC Apartment, Byelane No. 3, Kahilipara Road, Ganeshguri, Guwahati- 6 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission