

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

Case No. : KP(M).384/2016
Complainant/ Appellant : Md. Ziauddin Munwarul Hoque
Respondent : Personnel (A) Department, Govt. of Assam
Date of hearing : 14.02.2017
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

14.02.17

The petitioner Md. Ziauddin Munwarul Hoque is present. The public authority to be represented by the SPIO of Personnel (A) Department, Govt. of Assam is absent. The first appellate authority is also absent. Nor has he taken any steps to apprise this Commission about the steps taken by him to dispose of the first appeal petition. It is seen from the case records that he fixed 3.00 PM on 12.11.15 for hearing the first appeal petition, though there is nothing on records to show that any order was passed by the FAA. The petitioner submitted that the hearing was held as scheduled, but the FAA did not pass any order.

From the case records it is also seen that the SPIO and the Deputy Secretary of Personnel (A) Department furnished some informations to the petitioner vide letter dated 3rd October, 2015, with which the petitioner was not satisfied as it is clear from the petitioner's RTI petition dated 20.8.15 that he wants to receive the following informations:-

- (a) Names of the officers in ACS Grade I, with the dates of their superannuation or promotion to the next higher level, due to whose retirement or promotion 23 vacancies arose in ACS Grade I for the year 2011.
- (b) Whether any ACS Grade II officers were promoted against any of those 23 ACS Grade I vacancies with retrospective effect, and if so, the names and dates thereof.

In course of his deposition, the petitioner submitted that he superannuated from service on 31.12.2011. The DPC for filling up the 23 vacancies for the year 2011 in ACS Grade I was held in the year 2012. Had the DPC been held at proper time i.e. before or during 2011, then the petitioner would have got the benefit of promotion to ACS Grade I. He stated that he was aggrieved by the fact that the DPC for 2011 was held in 2012, after his superannuation.

It appears that the information already furnished to the petitioner vide forwarding letter dated 3rd October, 2015 does not clearly bring out the above information sought for by the petitioner.

The SPIO and Joint Secretary to the Govt. of Assam, Personnel (A) Department has submitted written statement dated 13th February, 2017 praying for re-fixation of the date of hearing as the FAA Shri T.C. Sarma, IAS, Secretary, Personnel & AR&T Department Govt. of Assam is busy with the ongoing budget session of the State Assembly.

The prayer is granted.

Fix 12.30 AM on 15th March, 2017 for 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).384/2016/38-A

Dtd. 14.02.2017

Copy to:

1. The Deputy Secretary & SPIO of Personnel (A) Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. Md. Ziauddin Munwarul Hoque, House No. 1, Bonkonwar Path, Kharguli, Guwahati-4 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission