

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : **KP(R).12/2017**
Complainant/ Appellant : **Sri Nikumoni Deka**
Respondent : **Handloom & Textiles Department**
Date of Hearing : **1-11-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R
1-11-2017

1. The appellant/petitioner Sri Nikumoni Deka is present along with his Advocate Sri Pulak Barman. The public authority is represented by Sri Chagendra Nath Kakoty, SPIO and Inspector, O/O the Asstt. Director, Handloom and Textiles, Kamrup accompanied by Sri Nurul Islam, Deputy Handloom Officer, Kamrup, Guwahati-1.
2. The complaint petition dated 31-8-2017 alleging non-compliance of this Commission's previous order dated 6-7-2017 is taken up for consideration in presence of both the parties.
3. From perusal of the case records it is seen that in compliance of this Commission's order dated 6-7-2017 the Asstt. Director, Handloom and Textiles forwarded the sought for informations vide his letter dated 17-8-2017, as received from the Cluster Development Executive and Member Secretary of the Consortium of Sualkuch (East) Cluster Sri Khagendra Ch. Nath vide his report dated 14-8-2017 addressed to the PIO of the office of the Asstt. Director, Handloom and Textiles, Kamrup. The informations furnished are clear and specific in response to the informations sought for by the petitioner vide his RTI petition dated 20-1-2017. The petitioner agreed that he has received the information but stated in his non-compliance complaint petition dated 31-8-2017 that he is not satisfied with the informations furnished to him. According to alternative informations available with him, eight other beneficiaries, namely, (i) Sri Dhanadeb Dutta, (ii) Sri Pakila Dutta, (iii) Sri Paresh Medhi, (iv) Sri Nikumoni Deka, (v) Sri Mondweep Das, (vi) Sri Tilok Medhi (vii) Sri Jogesh Rajbongshi and (viii) Sri Rajin Rajbongshi, who received benefits from Sualkuchi (East) Cluster during the financial years 2014-2015 and 2015-2016 were not mentioned in the informations furnished to him by the CDER through the Asstt. Director.
4. The petitioner also enclosed with his complaint petition dated 31-8-2017 an undertaking signed by Smti Bina Rajbongshi and Smti Renu Medhi, whose names are mentioned at Sl. 9 and 16 respectively in the list of informations furnished stating that they have not received the benefits as reported by the CDE and the Asstt. Director.

5. The SPIO and Inspector of Handloom and Textiles, Kamrup submitted a written statement dated 30th October, 2017 stating that the sought for informations were already furnished to the petitioner vide letter dated 17-8-2017. In his written statement the PIO also mentioned that the petitioners' non-compliance complaint petition dated 31-8-2017 was forwarded to him by this Commission along with the Notice dated 26-9-2017.

On receipt of non-compliance complaint petition from this Commission the Inspector Sri Chagendra Nath Kakoty and DHO Smti Pinky Baishya conducted an enquiry into the allegations of non-receipt of benefits by Smti Bina Rajbongshi and Smti Renu Medhi. A copy of the enquiry report dated 25-10-2017 addressed to the Asstt. Director, Handloom and Textiles, Kamrup has been enclosed with the written statement. It has been mentioned in the enquiry report that during field visit of the enquiry officers there was some local trouble necessitating police intervention. The PIO has also enclosed a copy of an FIR dated 24-10-2017 submitted by Deputy Handloom Officer Smti Pinky Baishya before the O.C Sualkuchi Police Station. The petitioner suspects malpractices by the concerned officials in disbursing benefits under the Cluster Development Scheme. It will be beyond the jurisdiction of this Commission to go into the police records or investigate into the allegations of malpractices in implementation of the Cluster Development Scheme.

6. To redress his grievances in this regard the petitioner may approach the higher authorities of Handloom and Textile Department for a detailed inquiry into the alleged malpractices or any crime and corruption investigating agency, besides filing fresh RTI petitions before the competent authority to obtain further informations regarding implementation of Cluster Development Scheme by the Consortium of Sualkuchi (East) cluster.

7. So far as the RTI petition dated 21-1-2017 and the replies furnished vide Asstt. Director, Handlooms letter dated 17-8-2017 are concerned, this Commission is of the view that the needful under the RTI Act, 2005 have been done.

8. Hence the complaint petition dated 31-8-2017 is disposed of with the direction that a copy of the enquiry report dated 25-10-2017, furnished by the Inspector and DHO to the Asstt. Director, Handloom and Textiles, Kamrup District be provided along with copy of the Asstt. Director's order dated 21-10-2017, ordering Sri Chagendra Nath Kakoty and Smti Pinky Baishya into the enquiry on the body of Sri Khagendra Ch. Nath, CDE's report vide letter dated 14th August, 2017.

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

Authenticated true copy

Registrar
Assam Information Commission

Memo No SIC/ KP(R).12/2017

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Dated 1-11-2017

Copy to:-

- 1) Sri Chagendra Nath Kakoti, SPIO and Inspector, O/O the Asstt. Director, Handloom and Textiles, Kamrup , Ambari, Guwahati for information and necessary action.
- 2) Sri Nikumoni Deka, S/O Sri Liladhar Deka, R/O Na Keotpara Sualkuchi, P.O & P.S Sualkuchi, Dist- Kamrup, Assam, PIN-781103 for information and necessary action.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar
Assam Information Commission.**