

**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

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**Case No.** : **KP(M)1164/2017**  
**Complainant/ Appellant** : **Sri Dulal Bora**  
**Respondent** : **Agriculture Department**  
**Date of Hearing** : **08-1-2018**  
**Complaint/ Second** : **Shri H. S. Das, IAS (Retd)**  
**appeal heard by** : **State Chief Information Commissioner, Assam**

**O R D E R**  
**08-1-2018**

1. The appellant/petitioner Sri Dulal Bora is present. The public authority is represented by Sri Manas Nath, Joint Secretary, Govt. of Assam, Agriculture Department, Dispur, Guwahati-6.
2. The petitioner Sri Dulal Bora submitted a written request to convert his complaint petition dated 28-2-2017 into a second appeal petition as he is still interested in getting the information sought for by him vide his RTI petition dated 11-1-2017. His prayer is granted and the complaint petition is taken up for hearing as a second appeal petition.
3. From perusal of the case records it is seen that the petitioner filed an allegation petition dated 22-2-2016 before the Secretary of Judicial Department, Govt. of Assam against the then Chairperson, Assam Agriculture Marketing Board. Thereafter he filed an RTI petition dated 11-1-2017 before the SPIO of Judicial Department seeking three sets of informations which relates to actions taken by the Department on his allegation petition dated 22-2-2016. The petitioner mentioned in his complaint petition dated 28-2-2017, which has now been converted into a second appeal petition, that his RTI petition was transferred by the Judicial Department to the Agriculture Department and by a letter dated 18<sup>th</sup> February, 2017 the SPIO and Additional Secretary of Agriculture Department informed him that till then no inquiry was ordered on his allegation petition dated 22-2-2016.
4. This Commission is of the view that the RTI petition dated 11-1-2017 has been responded to by Agriculture Department's letter dated 18<sup>th</sup> February, 2017, as no further information could be furnished because till then no inquiry was ordered by the Agriculture Department on the petitioner's allegation petition dated 22-2-2016.
5. By his complaint/ second appeal petition dated 28-2-2017 the petitioner wanted action to be taken under the relevant rules of Assam Public Services Act, 2012 . However, under the Assam Public Services Act, this Commission has no power to take any action. The complainant /appellant may, therefore, approach the

competent authority under the Assam Public Services Act, 2012 for further necessary action.

6. In view of the above the second appeal petition / complaint petition dated 28-2-2017 is disposed of.

**Sd/-**

**(H. S. Das)**

**State Chief Information Commissioner,  
Assam**

**Authenticated true copy**

**Sd/-**

**Secretary & Registrar  
Assam Information Commission**

**Memo No SIC/ KP(M). 1164/2017/**

**A**

**Dated 08-1-2018**

Copy to:-

- 1) Sri Manas Nath, Joint Secretary to the Govt. of Assam, Agriculture Department, Dispur, Guwahati-6 for information.
- 2) Sri Dulal Bora, S/O Sri Deben Bora, House No.-118, Rajib Gandhi Path, Koinadhara Tiniali, P.O- Khanapara, Guwahati-22 for information .
- 3) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

**Secretary & Registrar  
Assam Information Commission.**