

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

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 18th 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 18th 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/

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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.**