

**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)796/2017  
**Complainant/ Appellant** : Sri Rajib Deka  
**Respondent** : Assam Seeds Corporation Ltd., Morigaon  
**Date of Hearing** : 25-1-2018  
**Complaint/ Second appeal heard by** : Shri H. S. Das, IAS (Retd)  
State Chief Information Commissioner, Assam

**O R D E R**  
**25-1-2018**

1. The appellant/petitioner Sri Rajib Deka is present. The public authority , namely, Assam Seeds Corporation Ltd. (ASCL) is represented by Sri Harendra Nath Das, I/C Branch Manager of ASCL, Morigaon.
2. The petition dated 16-11-2017 filed by the petitioner complaining about non-compliance of this Commission's order dated 13-10-2017 is taken up for consideration in presence of both the parties.
3. This Commission by its order dated 13-10-2017 directed the Branch Manager of ASCL, Morigaon to furnish the sought for information to the petitioner within 30 days from the date of that order. The petitioner vide his complaint petition dated 16-11-2017 reported that till then no information was furnished to him. However, in the meantime he has received the sought for informations in respect of the financial year 2016-2017. He is aggrieved that the sought for informations for the period 2011-2012 to 2015-2016 have not been furnished to him.
4. The Branch Manager of ASCL , Morigaon made a written submission dated 17-1-2018 which is entered into the case records. In his W/S the present I/C Branch Manager Sri Harendra Nath Das has stated that he took over charge of the office on 3-5-2017. At the time of taking over charge his predecessor handed over records relating to the APRs (paddy) and training attendance sheets for the financial year 2016-2017 only. The I/C Branch Manager stated that attendance sheets for Sali paddy training for the year 2016-2017 have already been furnished to the petitioner, receipt of which was acknowledged by him. The I/C Branch Manager has now prepared the APRs also for the financial years 2016-2017. He is directed to furnish the same to the petitioner within 10 days from the date of this order which was pronounced in presence of both the parties.

5. The I/C Branch Manager submitted that other than the office records, his predecessor did not hand over any other records pertaining to the informations sought for by the petitioner vide his RTI petition dated 29-5-2017. Therefore , he expressed his inability to furnish those records.
6. This Commission takes a serious note of non-availability of public records involving expenditure from the state exchequer. Therefore, in exercise of powers under Section 19 (8) (a) of the RTI Act, 2005, this Commission directs the Managing Director of Assam Seeds Corporation Ltd. to cause an inquiry by a responsible officer into the matter of missing records as reported by the I/C Branch Manager of ASCL, Morigaon branch , and report the outcome thereof and action taken thereon within 60 (sixty) days from the date of this order.
7. Fix **28-3-2018, 12.30 P.M** for review of action taken . Enclose a copy of the I/C Branch Manager's statement dated 17-1-2018 to the Managing Director, ASCL along with a copy of this order.
8. Issue notices to both the parties and the SPIO of ASCL , Morigaon for their attendance on the next date of hearing.

**Sd/-**  
**(H. S. Das)**  
**State Chief Information Commissioner,**  
**Assam**

**Authenticated true copy**

**Sd/-**  
**Registrar**  
**Assam Information Commission**

**Memo No SIC/ KP(M). 794/2017/**

**A**

**Dated 25-1-2018**

Copy to:-

- 1) Sri Utpal Ch. Bhattacharya, I/C Branch Manager of ASCL, Dhubri for information and necessary action.
- 2) Sri Rajib Deka, Nayanpur Path, Kahilipara, House No-62, Guwahati-19 for information and necessary action
- 3) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

**Registrar**  
**Assam Information Commission.**



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No

December 20, 2017

From: Sri B.C.Hazarika, ACS  
Secretary.

To: Commissioner & Secretary,  
Government of Assam,  
Administrative Reforms & Training Department,  
Dispur, Guwahati- 781006

Subject:- Retirement benefits of ex- State Chief Information Commissioners-  
regarding

Sir,

With reference to the above, I am directed to state that a representation dated 29<sup>th</sup> November, 2017 was received from Sri Ranjit Sekhar Mooshahary, IPS (Retd) who was the first State Chief Information Commissioner of Assam from 1<sup>st</sup> March, 2006 to 24<sup>th</sup> June, 2008, before he took oath as the Governor of Meghalaya.

The Memorandum , along with the enclosures are forwarded to you for necessary action from your end.

In this regard, I am directed to mention that Section 16(5) of the RTI Act, 2005 specifies that the salaries and allowances payable to and other terms and conditions of service of the State Chief Information Commissioners shall be the same as that of Election Commissioner , and that the same shall be varied to their disadvantage after their appointment.

Election Commission of India vide its office Memorandum No. 193/1