

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

Case No. : SIC/DRN.72/2017  
Appellant : Md. Abdul Ali  
Respondent : The SPIO, O/o the Commissioner, Panchayat & Rural Dev.,  
Assam  
Date of hearing : 08.01.2018  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
08.01.2018

The Appellant, Md. Abdul Ali is present.

The SPIO is absent. However, the Joint Director, office of the Commissioner, Panchayat & Rural Dev. Department, Assam has submitted a Written Statement dated 04.01.2018.

Perused the case record. The Appellant had filed his Second Appeal dated 11.10.2017 submitting that he had not received the information in respect of the third point of his Application. He had sought a copy of the action taken letter/order issued in compliance with the order of the Honourable High Court dated 04.01.2015 in connection with a Writ Petition to the Principal Secretary to the Government of Assam, P & RD to make an inquiry as to whether any salary was due and payable to the Petitioner's husband from 01.06.2003 to 26.09.2009 and if on such inquiry it was found that the salary for the said period or any period of it was due and payable but not paid, the same should be paid to the Petitioner. The exercise was directed to be completed within 2 months from the date of the order.

Heard the Appellant. He submitted that as regards the third point he has received a letter dated 07.12.2017 from the Joint Director, Shri D. Pegu, ACS, office of the Commissioner, P & RD stating that there was no outstanding salary due to the Petitioner, Late Akbor Ali for the said period. The original report was issued by the BDO, Dalgaon Sialmari Dev. Block. He was not satisfied that no information has been furnished as to whether the inquiry ordered by the Court of Law had been conducted. He further added that the deceased Government employee was made to work in the office of the Dalgaon Sialmari Anchalik Panchayat after his release from the Block in compliance with the order of the Commissioner, P & RD department. No information has been furnished as regards the unpaid salary for the period the deceased served in the said Anchalik Panchayat.

Perused the Written Statement. It is seen that the Written Statement has not been submitted by the SPIO but by the Joint Director who is presumably connected with the matter. The Written Statement details the facts relating to the service of the said deceased and the fact of providing the information which the Appellant has acknowledged to have received. However, the Appellant has not been informed as to whether an inquiry has been conducted in compliance with the order of the Honourable High Court, and no information has been collected and provided relating to the salary that may be payable by the said Anchalik Panchayat for the concerned period which is until the expiry of the Government employee.

In view of the facts brought out above, the Commission hereby orders that (a) the SPIO shall inform the Appellant the information on whether the Principal Secretary to the Government of Assam, P & RD department has made the inquiry ordered by the Honourable High Court as mentioned above, and (b) collect the information from the said Anchalik Panchayat and provide the same to the Appellant or transfer the Application dated 24.04.2017 to the SPIO of the said Anchalik Panchayat for providing the information to the Appellant within the time stipulated by the RTI Act, 2005.

The Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to move this Commission, if he is aggrieved with the response of the SPIO.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar  
Assam Information Commission

Memo No. SIC/DRN.72/2017

Dtd. 08.01.2018

Copy to:

1. The SPIO, O/o the Commissioner, Panchayat & Rural Dev. Deptt., Assam, Panjabari, Juripar, Guwahati- 37 for information and necessary action.
2. The First Appellate Authority/Principal Secretary to the Government of Assam, Panchayat & Rural Dev. Deptt., Dispur, Guwahati- 5 for information.
3. The Appellant, Md. Abdul Ali, S/o- Lt. Pado Sheikh, Vill & PO- Maroi, PS- Sipajhar, Dist- Darrang, Assam, Pin- 784 145 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission