

<b>Case No.</b>	<b>KP(M)113/2018</b>
<b>Complainant/ Appellant</b>	<b>Sri Joydeb Das</b>
<b>Respondent</b>	Assam Seeds Corporation Ltd.
<b>Date of Hearing</b>	<b>14.06.2018</b>
<b>Complaint/ Second appeal heard by</b>	<b>Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam</b>

**O R D E R**  
**14.06.2018**

1. The petitioner Sri Joydeb Das is present. The public authorities are represented by (i) Smti Kirti Jalli, Staff Officer and SPIO of the office of Chief Secretary, Govt. of Assam, (ii) Sri Kulendra Talukdar, Secretary to the Govt. of Assam, Agriculture Department and Managing Director, Assam Seeds Corporation Ltd. (ASCL), (iii) Sri Pradip Buragohain, SPIO and G.M (F&P) of ASCL, and (iv) Sri Gunjanan W. Shyam, ASPIO of ASCL.
2. The SPIO of ASCL has submitted an affidavit dated 13<sup>th</sup> June 2018 detailing the actions taken by them to comply with this Commission's order dated 28-6-2017 in second appeal case No. SIC/KP(M).246/2017.
3. The appellant submitted that he will be following up the website of ASCL and if any deviation from this Commission's order by ASCL is found, he will take the matter up with the competent authority for taking necessary action against ASCL.
4. The Staff Officer and SPIO of the office of Chief Secretary submitted a separate written statement dated 5<sup>th</sup> June, 2018 enclosing a copy of order dated 4<sup>th</sup> June, 2018 given by the Chief Secretary to the Govt. of Assam to Commissioner & Secretary, AR&T Department for issuing necessary instructions to all the concerned Departments and procurement agencies under the jurisdiction of the Govt. of Assam to comply with the directions as contained at paragraphs-5,6 and 7 of this Commission's earlier order dated 28-6-2017 in second appeal case No. SIC/KP(M). 246/2017.
5. From the submission of the S.O and SPIO of the office of Chief Secretary, Govt. of Assam, it appears that :-

(a) No action was taken by the Chief Secretary to the Govt. of Assam for nearly a year to implement this Commission's order dated 28-6-2017. This appears to be a case of non-compliance of this Commission's order which is binding under Section 19 (7) of the RTI Act, 2005. This reflects poorly on the commitment, even at the highest level of the State administration , to transparency which is a pre-requisite for good governance.

(b) Commissioner & Secretary, Govt. of Assam, AR&T Department is yet to issue the general circular and instructions as advised by the Chief Secretary vide her letter dated 4<sup>th</sup> June, 2018.

6 In view of the above, Commissioner & Secretary, AR&T Department is directed , in exercise of powers conferred under Section 19(8)(a)(iii) of the RTI Act to issue the general circular within 15 days from the date of receipt of this order with intimation to the Registry of this Commission.

7. With the above order the second appeal petition is disposed of.

**Sd/-**

**(H. S. Das)**

**State Chief Information Commissioner,  
Assam**

**Authenticated true copy**

**Sd/-**

**Registrar I/c**

**Assam Information Commission**

**Memo No SIC/ KP(M).113/2018 /**

**A**

**Dated 14.06.2018**

Copy to:-.

- 1) Chief Secretary to the Govt. of Assam, Dispur, Guwahati-6 for information and necessary action , especially with reference to para 5(a) above.
- 2) Principal Secretary to Hon'ble Chief Minister, Assam, Dispur, Guwahati-6 for information and necessary action , especially with reference to para 5(a) above.
- 3) Commissioner & Secretary, AR&T Department, for information and necessary action.
- 4) Sri Kulendra Talukdar, Secretary to the Govt. of Assam, Agriculture Department for information and necessary action.
- 5) Managing Director, Assam Seeds Corporation Ltd.,Khanapara, Guwahati-22 for information and necessary action.
- 6) Smti Kirti Jalli, Staff Officer and SO to Chief Secretary, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action as ordered above.
- 7) Sri Pradip Buragohain, SPIO and G.M (F&P), Assam Seeds Corporation Ltd, Khanapara, Guwahati-22 for information and necessary action.
- 8) Sri Joydeb Das, House No-16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Fatashil Ambari , PIN-781 025 for information.
- 9) Director of Information and Public Relations, Dispur Last Gate, Dispur, Guwahati-6
- 10) Computer Section for uploading in the Website
- 11) Office file.
- 12) Order Book.

**Registrar I/c**

**Assam Information Commission.**