



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

Case No. : NGN.130 /2018
Complainant/ appellant : Shri Abdul Jalil Akand
Respondent : District Agriculture Officer, Marigaon, Assam
Date of hearing : 26.10.2018
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

26.10.2018

1. The petitioner Shri Abdul Jalil Akand is present. The public authority is represented by Shri A.K. Nath, District Agriculture Officer, Nagaon accompanied by:- (1) Shri H.N. Talukdar, Sub-Divisional Agriculture Officer and SPIO, Morigaon, (2) Shri S.S. Terang, Head Asstt. and (3) Shri Dibyajyoti Hazarika, Store i/c of the said office. The second appeal petition dated 8.4.2018 is taken up for further consideration in pursuance of this Commission's earlier order dated 24.9.18.

2. Shri A.K. Nath, DAO, Morigaon submitted a written statement dated 25.10.2018, which is entered into the case records. Earlier he sent another WS dated 27.8.2018, which was received in this Commission on 27.9.2018, which is also entered into the case records.

3. From the WS dated 25.10.2018 of the DAO supported by a letter dated 22.8.2018 from the earlier SPIO it appears that the petitioner was requested telephonically several times to collect the sought for informations by depositing required photocopy cost. But the petitioner did not come to collect the informations. Instead he filled appeal petitions before this Commission. The DAO submitted orally that all the informations are ready for handing over to the petitioner. When asked by this Commission, the DAO informed that the sought for informations run into several hundred pages. In view of this, the Commission directs the SPO of the office of the DAO, Morigaon to allow the petitioner to inspect relevant records and documents during office hours on any working day within 30 days from the date of receipt of this order and also allow him to take notes and photocopies of sought for documents free of cost upto 100 pages and thereafter on payment of Rs.2.00 for every additional page of photocopy.

4. As regards refusal by the Head Assistant of the office of the DAO, Morigaon to receive this Commission's notice dated 24.7.201, with his written statement dated 25.10.2018, the DAO submitted a copy of show cause notice dated 27.8.2018 asking Shri S.S. Terang to show cause as to why disciplinary action shall not be taken against him. The DAO has also enclosed the letter of apology dated 27.8.2018 submitted by the concerned Head Assistant, Shri S.S. Terang, who admitted his mistake and sought forgiveness. The DAO has also enclosed another letter dated 27.8.2018 addressed to

the Secretary of this Commission informing that the concerned Head Assistant has been warned not to commit such irregularity in future.

5. This Commission is, however, of the view that Head Assistant's refusal to accept the notice sent from this Commission through India Post is a serious matter. Admission of guilt and seeking of forgiveness does not appear to be enough. The District Agriculture Officer, Morigaon is, therefore, directed to initiate departmental proceedings against the Head Assistant and take appropriate decision/ action based on the report of the inquiry officer with intimation to this Commission.

With the above orders, the second appeal petition dated 8.4.2018 is disposed of.

Sd/-

(H. S. Das)

Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/ NGN.130/2018/

Dtd. 26.10.2018

Copy to: 1. The District Agriculture Officer, Morigaon, Assam for information and necessary action.
2. The Sub-Divisional Agriculture Officer and SPIO, Morigaon, Assam for information and necessary action.
3. Shri Abdul Jalil Akand, Islampatty, Seujnagar, PO- Haiborgaon, Dist. Nagaon, PIN-782002 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book

Joint Registrar
Assam Information Commission