



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

Case No. : DBR,6/2018
Complainant/ appellant : Shri Promud Kr. Baruah
Respondent : SPIO of the office of the Commissioner, Assam State
Housing Board, Guwahati
Date of hearing : 07.01.2019
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
07.01.2019

1. The petitioner Shri Promud Kr. Baruah is present accompanied by Shri Rajendra Nath Borpujari to assist him. The public authority, i.e. the Assam State Housing Board (ASHB) is represented by their Addl. Chief Housing Officer, Shri S.K. Khobung. The second appeal petition dated 12.2.2018 is taken up for further consideration in pursuance of this Commission's earlier orders dated 14.12.2018 and 12.6.2018.

2. The petitioner Shri Promud Kr. Baruah submitted a written statement dated 31.12.2018 stating that he visited the office of the ASHB on 28th and 29th December, 2018, inspected the relevant records and collected 112+41+2 pages of documents relating to :- (a) office orders copies of retired employees of ASHB, (b) retirement benefits paid/pending dues of the retired employees and (c) pre-budget discussions on provisioning for pending retirement dues respectively. He submitted another WS dated 7.1.2019 stating that he was given two different lists of retired employees dated 11.12.2018 and 29.12.2018 containing names of 124 retired employees and 122 retired employees respectively. However, the informations furnished in respect of CPF amount, arrear pay, arrear DA, leave salary and gratuity amount of the retired employees in the two statements do not tally, besides the difference of two in the number of retired employees. The petitioner was not, therefore, satisfied with the informations furnished to him. From his WS it appears that the petitioner has been furnished incomplete and incorrect informations by the SPIO of ASHB.

3. The SPIO of ASHB also submitted a separate written statement dated 31.12.2018 along with the reply dated 29.12.2018 of Shri Prafulla Kalita, Cashier to the show cause notice. Shri Kalita has admitted ignorance about RTI matters and tendered apology for his inadvertent mistake and report dated 31.7.2018. He prayed for condonation of his lapse and assured that such mistake shall not be committed in future. He has also stated that after receiving the Commission's order dated 14.12.2018 all the required informations and records were given to the petitioner on 29.12.2018. The SPIO also stated in his WS that he furnished all required informations to the petitioner on 29.12.2018.

4. As already mentioned in paragraph 2.the informations furnished to the petitioner by the SPIO on the basis of informations furnished by the deemed PIO , i.e. Shri Prafulla Kalita, Cashier, ASHB, it turned out to be incomplete and incorrect. **This Commission, therefore, withholds its decision on the reply of the Cashier Shri Prafulla Kalita on the show cause notice.** The SPIO and deemed PIO, i.e. the Cashier of Assam State Housing Board are given 15 days' time from the date of this order, which was pronounced in presence of the SPIO, to furnish complete and correct informations to the petitioner with supporting documents. It may be that due to financial constraints ASHB has not been able to pay full or even part retirement benefits to some of their employees. If that is the case, then the petitioner should be clearly informed as to which components have not been paid to the employees and which components have been paid either in part or full to each retired employee in tabular form.
5. **Fix 12.30 PM on 24.01.2019 for next hearing.**
6. **Issue notices to the SPIO as well as the deemed PIO of Assam State Housing Board to be present with all relevant records on the next date of hearing.**
7. **Issue notice to the petitioner also for his attendance.**

Sd/-

(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ DBR.6/2018/

Dated. 07.01.2019

- Copy to: 1. The SPIO of Commissioner of Assam State Housing Board, R. G. Baruah Road, Guwahati-05 for information and necessary action.
2. Shri Prafulla Kalita, Cashier of Assam State Housing Board, R. G. Baruah Road, Guwahati-5 for information and necessary action.
3. Shri Promud Kr. Baruah, C/o- Mrs. Anjali Baruah, Qrt No. 6 , K.V. Teachers' Colony, Duliajan, PO-Duliajan, Dist. Dibrugarh, PIN- 786037 Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book

Registrar i/c
Assam Information Commission