



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

Case No.	KP(M)1158/ 2018
Complainant/ Appellant	Md. Anisur Rahman
Respondent	: SPIO of Environment & Forest Deptt. Govt. of Assam.
Date of hearing	13.03.2019
Complaint/ Second	: Shri H. S. Das, IAS (Retd)
Appeal heard by	Chief Information Commissioner, Assam

**O R D E R**

13.03.2019

1. The petitioner Md. Anisur Rahman is absent without any information. This Commission's notice dated 26.2.2019 was also returned by the India Post authorities with the remark that attempts were made on 2<sup>nd</sup> March, 2019, 4<sup>th</sup> March, 2019 and 5<sup>th</sup> March, 2019 to deliver the notice but the door of the house, which was given as his address by the petitioner in his RTI petition, was found locked on all the three days and hence the notice was returned undelivered.
2. The public authority, i.e., the Environment & Forest Department is present as represented by Sri Amarendra Barua, IAS, Secretary & First Appellate Authority of Environment & Forest Department and Smti Smitakshi Baruah, ACS, Joint Secretary and SPIO of Environment & Forest Deptt. The second appeal petition dated 11.9.2017 is taken up for hearing ex parte in the absence of the petitioner.
3. From perusal of the case records it is seen that the petitioner filed an RTI petition dated 30.1.2017 wanting to know :- (i) whether his letter dated 22.6.2007 is available in the relevant file in chronological order, (ii) whether the said letter was perused and considered before placing the petitioner, who appears to have been a Ranger of the Environment & Forest Deptt. at that time, under suspension, and (iii) whether any action has been taken against the person complained against by the petitioner vide his letter dated 22.6.2007.
4. The SPIO as well as the 1<sup>st</sup> Appellate Authority of Environment & Forest Deptt have submitted two separate written statements which are entered into the case records. The gist of their written statements is that the petitioner Md. Anisur Rahman was a Range Officer of the Environment & Forest Deptt. when he was placed under suspension in 2007. It is submitted orally that although in the meantime Md. Anisur Rahman has been promoted to higher rank, a DP against him is still continuing and the relevant file is under constant movement for consultation with the referral departments. It was also submitted orally that the file is with the Judicial Department at present.

5. Since the informations sought for by the petitioner are of factual nature, the SPIO and Joint Secretary of Environment & Forest Deptt. is directed to recall the file from Judicial Deptt. and furnish the sought for informations to the petitioner after examining the contents of the file within 30 days from the date of this order which was pronounced in her presence. Thereafter the file may be returned to Judicial Department for further necessary action. Since the petitioner was not found available in the address given by him in the RTI petition, the SPIO is also directed to ascertain his present place of posting and send the informations to his present official address.

6. With the above order, the second appeal petition dated 11.9.2017 is disposed of.

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

Authenticated true copy.  
Sd/-  
Registrar i/c  
Assam Information Commission

Memo No. SIC/ KP(M)1158/2018

Dated 13.03.2019

Copy to:

1. The Secretary, Govt. of Assam, Environment & Forest Deptt, Dispur for information and necessary action.
2. The SPIO of Environment & Forest Deptt Dispur, Guwahati for information. and necessary action.
3. Md. Anisur Rahman, H.No.47, Namghar Path, Near Panjabari Maszid, Panjabari, Guwahati 37.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar i/c  
Assam Information Commission