



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

Case No. : KP(M).426/2019
Complainant/ appellant : Shri Gunjan Pratim Dutta
Respondent : SPIOs of CMO/GAD & DC, Kamrup (M)
Date of hearing : 24.5.2019
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
24.5.2019

1. The appellant Shri Ganjan Pratim Dutta is present. The public authorities namely:- (i) office of the Chief Minister (CMO), Assam, (ii) General Administration Department, Govt. of Assam and (iii) Deputy Commissioner, Kamrup (M) are present as represented by:- (i) N. Bora, Under Secretary and SPIO of CMO, (ii) Shri Bharat Thakuria, Deputy Secretary and SPIO of GAD and (iii) Shri Lachit Kr. Das, ACS, Addl. Deputy Commissioner and SPIO of the Deputy Commissioner, Kamrup (M). The second appeal petition dated 21.12.2018 is taken up for hearing in presence of both the parties.

2. From perusal of the case records it is seen that the petitioner Shri Gunjan Pratim Dutta filed an RTI petition dated 3.10.2018 before the SPIO of the office of the Chief Minister, Assam. The informations sought for related to expenditure budgeted and incurred in respect of residential accommodation, travel, refreshment and hospitality expenses of Hon'ble Chief Minister of Assam. The SPIO of CMO has submitted a written statement dated 24th May, 2019 stating that the information in respect of point no. 1 of the RTI petition has been furnished from his end to the petitioner vide letter dated 10th October, 2018. He enclosed copy of the information furnished. After perusing the information furnished it is seen that the SPIO of CMO furnished information only in respect of the amount of expenditure incurred against T.A. Bills of Hon'ble Chief Minister, Assam. This appears to be incomplete. Moreover, the SPIO of CMO did not mention whether the information furnished is inclusive of DA drawn of the Hon'ble Chief Minister and travel expenses by all modes of travel namely air, rail, road and waterways. Therefore, the SPIO of CMO is directed to furnish complete informations in respect of point no. 1 of the RTI petition to the petitioner within 30 days from the date of receipt of this order. If any part of the sought for informations falling within the ambit of point no. 1 of the RTI petition is held by any other public authorities like GAD or the Deputy Commissioner of concerned district, the SPIO is directed to transfer that part of the RTI petition to the concerned authority with the instruction that they furnish the relevant informations held by them to the petitioner within 30 days from the date of receipt of such instruction from the Chief Minister's office.

3. Regarding point no. 2, the SPIO of CMO mentioned that that portion of the RTI petition was transferred to the GAD as GAD is holder of the informations. The Deputy Secretary and SPIO of GAD submitted separate WS dated 23.5.2019, which is entered into the case records. It has been mentioned in the WS by the SPIO of GAD that informations in respect of point no. 2 of the RTI petition have been furnished to the petitioner vide letter No. GAG(A)/261/2018/3 dated 12th October, 2018. The petitioner was informed that there is provision for accommodation of Hon'ble Chief Minister of Assam in the premises located at the southern side of Secretariat

campus, Dispur. The appellant/petitioner acknowledged receipt of the same and submitted orally that he is satisfied with the informations furnished to him.

4. As regards point no. 3, the SPIO of GAD mentioned in the WS that it was transferred to the SPIO of Deputy Commissioner, Kamrup (M) u/s 6(3) of the RTI Act, 2005 to provide information directly to the applicant. It has been mentioned in the WS that as per decision of a meeting taken by the Secretary to the Hon'ble Chief Minister of Assam on 22.09.2017, the Deputy Commissioner, Kamrup (M) was made the single nodal agency for all works and payments related to Brahmaputra Guest House. The SPIO of GAD further mentioned that the SPIO of Deputy Commissioner, Kamrup (M) returned the RTI petition to the GAD as the sought for information is not available with the Deputy Commissioner's office. In course of today's hearing it transpired that the head of account for incurring expenses for maintenance of Brahmaputra Guest House is under the control of and operated by the GAD, though the actual maintenance works are executed by PWD (Building) or Deputy Commissioner, Kamrup (M), depending on nature of works.

5. In view of the above, the SPIO of GAD is directed to co-ordinate with the Deputy Commissioner, Kamrup (M) and PWD (Building), Assam to collect and compile the sought for informations against point no. 3 of the RTI petition and furnish the required informations within 30 days from the date of receipt of this order.

With the above order, the second appeal petition dated 21.12.2018 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).426/2019/

Dated. 24.5.2019

Copy to: 1. The SPIO of the office of the Chief Minister, Assam, Dispur, Guwahati-6 for information and necessary action.
2. The SPIO of General Administration Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
3. The SPIO of the office of the Deputy Commissioner, Kamrup (M), Guwahati-1 for information and necessary action.
4. Shri Gunjan Pratim Dutta, House No. 5, Kekora Nagar, Guwahati-6 for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book

Registrar i/c
Assam Information Commission