



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

Case No. KP(M) 1293/2018  
 Complainant/ Appellant Sri Surendra Nath Das  
 Respondent : SPIO of the office of the Chief Secretary, Assam and  
 The SPIO of Power Department, Govt. of Assam  
 Date of hearing 25.06.2019  
 Complaint/ Second : Shri H. S. Das, IAS (Retd)  
 Appeal heard by Chief Information Commissioner, Assam

**O R D E R**

25.06.2019

1. The appellant Sri Surendra Nath Das is present. The public authority to be represented by the SPIO of the office of the Chief Secretary, Assam is absent. However, he has sent a written statement dated 14<sup>th</sup> June, 2019 stating that the appellant's RTI petition dated 23.7.2018 which was addressed to SPIO of Chief Secretary's Office was received on 26.7.2018 and on the same day it was forwarded to the Joint Secretary & SPIO of Power Department. It has also been stated in the WS that the petitioner was informed vide letter dated 17.9.2018 that the Chief Secretary, Assam is not the first appellate authority and he was advised to approach the FAA of Power Department.
2. The respondent Power Department is represented by Smti Utpala Saikia, ACS, Joint Secretary & SPIO accompanied by Sri S.N.Ahmed, DGM of APDCL.
3. . Another second appeal case No. SIC/KP(M) 1294/2018 was also scheduled for hearing today. From perusal of the case records it is seen that except for the date of the RTI petition and the first appeal petition, which are 23.7.2018 and 22.8.2018 respectively in Case No. SIC./ KP(M) 1293 and 30.7.2018 and 29.8.2018 in Case No. SIC/KP(M) 1294/2018, both the RTI petitions are identical, including the date of second appeal petition, i.e., 3.10.2018. Therefore, it is decided to club both the cases together and hear the second appeal petition in presence of both the parties.
4. The Joint Secretary and SPIO of Power Department submitted a written statement dated 18.6.2019 which is entered into the case records. It has been mentioned in her WS that the petitioner's RTI petition dated 30.7.2018 was not received in the department. However, in case No.SIC/KP(M)1293/2018 the Staff Officer and SPIO of Chief Secretary's office submitted WS with supporting documents stating that the identical RTI petition dated 23.7.2018 by the same petitioner was transferred to the Joint Secretary and SPIO of Power Department. It transpired in course of today's hearing that no informations have been furnished to the petitioner so far in response to his RTI petition dated 30.7.2018 which is

identical with his other RTI application dated 23.7.2018. The Joint Secretary and SPIO of Power Department mentioned in her WS that the then ASEB' s Board took a resolution in its meeting held on 29.2.2008 regarding an appeal petition filed by the petitioner relating to his service matter. Subsequently, the APDCL Board also took another resolution in its meeting held on 30.6.2012 on a representation made by the present RTI applicant pertaining to some remarks in his ACR . The SPIO of Power Department has also stated that copies of the above resolutions were furnished to the appellant.

5. As already mentioned, so far no specific replies has been given to the RTI appellant with reference to his RTI petition dated 23.7.2018 and 30.7.2018. The SPIO of Power Department is, therefore, directed to furnish point-wise replies/informations to the petitioner/appellant with reference to his RTI petitions mentioned above within 30 days from the date of this order which was pronounced in presence of both the parties.

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) 1293/ 2018

Dated 25.06.2019

Copy to:

1. The SPIO of the office of the office of the Chief Secretary, Assam, Dispur, Guwahati 6 for information.
2. Joint Secretary and SPIO of Power Deptt., Govt. of Assam, Dispur, Guwahati for information and necessary action.
3. DGM, APDCL, Bijuli Bhawan, Paltanbazar, Guwahati 1 for information and necessary action.
4. Sri Surendra Nath Das, Indralayas, 3<sup>rd</sup> Floor, House No.18, Principal J Baruah Road, Chenikuthi, Guwahati 781003.
5. File No.SIC/KP(M)1294/2018
6. Computer Section for uploading in the Website.
7. Office File.
8. Order Book.

Registrar i/c  
Assam Information Commission