



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No : SIC/KP(M).410/2019
 Complainant/ Appellant : Shri Utpal Das.
 Respondent : SPIO, Office of the Chief Secretary, Govt. of Assam
 Date of hearing : 11.7.2019
 Complaint/ Second : Shri H.S. Das. IAS (Retd)
 Appeal heard by Chief Information Commissioner, Assam

O R D E R

11.7.2019

1. The petitioner Shri Utpal Das is present. The public authorities are represented by (i) Smti Pragya Saharia, Joint Secretary and SPIO of Guwahati Development Department, (ii) Shri Hitesh Sarma Medhi, SPIO of GMDA and (iii) Shri Siddhartha Goswami, SPIO of GMC. The SPIO of Chief Secretary's Office sent a written statement dated 3rd July, 2019 stating that the petitioner's RTI petition dated 16.8.2018 was transferred to the SPIOs of Guwahati Development Department and Urban Development Department. No representative from Urban Development Department was present today. The second appeal petition dated 27.11.2018 read with the RTI petition dated 16.8.2018 is taken up for hearing in presence of both the parties.

2. It is seen that the RTI petition dated 16.8.2018 have two paras. Para 1 relates to PMAY(U). Vide a letter dated 29.6.2018 the petitioner lodged a complaint before the Hon'ble Prime Minister of India about the implementation of PMAY(U) in Assam. The Prime Minister's office, vide a letter dated 6.7.2018, wrote to the Chief Secretary, Govt. of Assam to take action as appropriate and to send a reply to the petitioner Shri Utpal Das and that copy of the reply be uploaded on the portal. As already mentioned above, Chief Secretary's office transferred the RTI petition to Urban Development Department and Guwahati Development Department. The Joint Secretary of Guwahati Development Department vide letter No.GDD.182/2018/6 dated 24.8.2018 forwarded the PMO's letter to the CEOs of six different organizations, namely, (i) GMDA, (ii) GMC, (iii) GMDW & SB, (iv) Guwahati Smart City Ltd., (v) AUJIP and (vi) JICA Assisted Guwahati Water Supply Project. Action taken, if any, by the Urban Development Department is not known as no written communication has been received from the SPIO of the department, nor was anybody from the department present at the time of today's hearing.

3. From perusal of the appellant Sri Utpal Das's complaint dated 29.6.2018 to the Prime Minister of India, it is seen that his main complaint was engagement of a third

party from outside the state, namely Administrative Staff College of India, Hyderabad, for appointment of and payment of salary to the employees of PMAY(U) Mission in Assam. His main prayer before the Hon'ble Prime Minister was to cancel the engagement of the third party who was irregular in making salary payment to the employees.

4. This Commission is of the view that the concerned Administrative Departments, namely, Guwahati Development Department for implementation of their mission in guwahati city area and the Urban Development Department for other urban areas in the state, should be aware about the points raised by the petitioner before the Hon'ble Prime Minister of India. It appears from the records available with the Commission that no information was furnished to the petitioner by either of the two departments inspite of clear instruction from the office of the Hon'ble Prime Minister of India. The letter of Prime Minister of India was addressed to the Chief Secretary of Assam. It appears that Chief Secretary's office also did not take any follow up action after transferring the letter of the Prime Minister's office to the Urban Development Department and Guwahati Development Department.

5. Against the above background, the SPIOs of Guwahati Development Department and Urban Development Department are directed to ascertain the correct present status of the issues raised by the petitioner, Sri Utpal Das, in his letter dated 29.6.2018 to the Hon'ble Prime Minister of India, read with the PMO's instruction vide letter dated 6.7.2018 referred to above and take action as advised by the Prime Minister's office within 30 days from the date of receipt of this order. The SPIOs of both the departments are also directed to furnish copy of action taken to this Commission and to the SPIO in the office of the Chief Secretary, Govt. of Assam.

6. As regards para 2 of the RTI petition, it is seen that its subject matter is totally unrelated to para 1. By para 2 the appellant sought information on immovable property returns of all IAS, IPS, IFS officers, vigilance clearance and direction to comply by the Department of Personnel and Training Department and some un-specified instructions from the Prime Minister of India. From the drafting of the para 2, it cannot be made out what specific information the appellant is seeking. In short, the appellant was not specific about what information he was seeking. It seems to be at variance with the requirement of para 6(1) of the RTI Act, 2005. Para 2 is therefore, not admitted and the petitioner is directed to submit fresh RTI petition, if he wants to pursue the matter. The petitioner is also advised to limit himself to one issue in one RTI application. Raising of multiple issues involves multiple public authorities in the same RTI application is likely to cause confusion.

7. With the above order, the second appeal petition dated 27.11.2018 is disposed of.

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

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M).410/2019

Dated. 11.7.2019

Copy to:

1. The SPIO of the office of the Chief Secretary, Govt. of Assam, Janata Bhawan, Dispur, Ghy-06, Assam for information and necessary action.
2. The Joint Secretary and SPIO of Guwahati Development Department, Dispur, Guwahati-6 for information and necessary action.
3. The SPIO of Urban Development Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
4. The Petitioner, Shri Utpal Das, H.No-41, Rang pathar bye lane, Fatashil Ambari, Ghy-25 for information.
5. Computer Section for uploading in the Website.
6. Office File
7. Order Book

Registrar i/c
Assam Information commission