



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

Case No. : SIC/KP(M).116/2020
Complainant/ appellent : Sri Joydeb Das.
Respondent : SPIO of the Office of the Directorate of Agriculture
Date of hearing : 13.10.2020
Complaint/ Second : Dr. A.P. Rout, IPS (Retd.)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
13.10.2020

1. The Appellant Sri Joydeb Das is present. The public authority i.e. the SPIO of the Office of the Directorate of Agriculture Sri Bijoy Ch. Sarma. The SPIO of the Office of the Directorate of Agriculture has submitted a written statement dated 12.10.2020 which is entered into the case records.
2. From perusal of the written statement, it is seen that RTI petition remained pending without any action from 4.12.2019 to 17.3.2020, Whereas Section 7(1) the RTI Act states that SPIO should furnish the reply of the RTI petition within 30 days from the receipt of the RTI application. Interestingly, the first appeal petition which was received on 27.1.2020 also remained unattended in violation of provision of Section 19(6) of the RTI Act, 2005.
3. Only on 18.3.2020 the RTI petition was forwarded to the legal cell. From 18.3.2020 to 12.10.2020 no action has been taken on the RTI application. As intimated by the present SPIO Sri Bijoy Ch. Sarma, SPIO post was vacant and work was under disposal of the First Appellate Authority i.e. the Director of Agriculture and after that two SPIOs are already transferred and the present SPIO joined recently.
4. In light of the above, the Commission orders the First Appellate Authority and the Director of Agriculture to file written affidavit giving the reason of delay in attending to RTI petition by SPIO or First Appellate Authority; and departmental actions taken if any for such violation of RTI Act.
5. **Fix 29.10.2020 at 11.30 AM for next date of hearing.**

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)116/2020

Dtd. 13.10.2020

Copy to:

1. Sri Akash Deep, IAS Director of Agriculture, Khanapara, Guwhati-22 for information and necessary action. You are request to submit a written affidavit as ordered above.
2. Sri Bijoy Ch. Sarma, SPIO of the Office of the Directorate of Agriculture Khanapara, Ghy-22 for information. You are requested to remain present remain present as ordered above.
3. The First Appellate Authority, Office of the Directorate of Agriculture Khanapara, Ghy-22 for information.
4. The Petitioner, Sri Joydeb Das, H.No-16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Ghy-25 for information.
5. Computer Section for uploading the order in the Website.
6. Office File.
7. Order Book.

Registrar i/c
Assam Information Commission