



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

Case No. : SIC/KP(R).977 / 2019  
Appellant : Md. Atiqur Rahman  
Respondent : The SPIO, O/o the Commissioner, Panchayat & Rural  
Development Deptt., Assam, Juripar, Panjabari,  
Guwahati- 37  
Date of hearing : 06.03.2020  
Second Appeal heard by : Sri Kanak Ch. Sarma, ACS (Retd.)  
State Information Commissioner, Assam

**O R D E R**

06.03.2020

Md. Salim Ahmed Laskar, Joint Director, Commissionerate of Panchayat & Rural Development, Assam is present. He is assisted by Sri A.B.H. Bahar Borbhuiyan, Senior Assistant. A written statement dated 04.03.2020 submitted by the Joint Director of CP&RD.

The petitioner, Md. Atiqur Rahman is present.

In the written statement, it is stated that the CP&RD received the RTI petition of Md. Atiqur Rahman which was forwarded by the SDO(C), Rangia vide letter no. RTI-1/2019/708 dated 13.03.2019. The Commissionerate furnished the reply to the RTI petitioner vide its letter no. DRD-2-RTI/221/2019/Estt./87 dated 07.04.2019. The reply of the RTI petition whatsoever was forwarded to the petitioner by ordinary post by the SPIO which the appellant has denied to have received. The CP&RD is directed to find out any means to ensure receipt of the letter/information provided to RTI petitioner in future. The contention of the appellant is that he submitted a RTI petition on 13.03.2019 seeking the following information-

- (i) Marks obtained by the candidate of Roll No-PNRD 182255644 in Combined Competitive Examination, 2018 held by CP&RD on 20.05.2018.
- (ii) Copy of the OMR sheet of the appellant in the said examination.
- (iii) Percentage of successful candidates and cut off marks for passing of the examination.

He did not receive any information from the SPIO of CP&RD. He then preferred first appeal before the First Appellate Authority of CP&RD but still did not get sought for informations and as such, he preferred this second appeal. Through its letter no. DRD-2/RTI/221/2019/Estt./116 dated 04.03.2020 it is informed that the petitioner was informed in respect of his RTI petition dated 13.03.2019 that any information in this regard may be furnished only after completion of the investigation by the CID (Crime Investigation Department) P.S. case no. 14/2018 registered in connection with Combined Competitive Examination, 2018 for various posts conducted by CP&RD on 20.05.2018. Further, it was informed that the following High Court cases (Writ Petitions) are pending before the Hon'ble

Gauhati High Court for disposal on the same subject matter relating to recruitment. The Writ Petitions nos. are as follows-

1. W.P.(C) No.2994/2019 Rubul Ahmed & 3 Others-vs-State of Assam & others.
2. W.P.(C) No.3418/2019 Jiaur Rahman Mandal-vs- State of Assam & others.
3. W.P.(C) No.1972/2019 Basanta Sarma & 3 Others-vs- State of Assam & others.
4. W.P.(C) No.2159/2019 Dipu Nath & 11 other-vs- State of Assam & others.
5. W.P.(C) No.3908/2019 Kamal Krishna Das & 24 others-vs- State of Assam & others.
6. W.P.(C) No.5081/2019 Ritu Bikash Bora and ors-vs- State of Assam & others.
7. W.P.(C) No.4274/2018 Sikha Sarma & others-vs- State of Assam & others.

It is also stated in the letter that this Commission has already passed orders in case no.SIC/NLB.33/2019 dated 17.10.2019 and case no. SIC/NLB.41/2019 dated 17.10.2019 whereby the SPIO of CP&RD was directed to furnish the information as soon the ongoing investigation of CID is completed. It is also informed that the next date of hearing of the above mentioned court cases have been fixed on 17.03.2020 and CID Assam Police is also requested to submit the status of investigation within 15.03.2020. In the context above the CP&RD is unable to provide information relating to the recruitment by the P & RD department through the Combined Competitive Examination, 2018 at this stage.

Seen the earlier order of Commission in connection with case no. SIC/NLB.41/2019 and SIC/NLB.33/2019 the learned SIC directed the SPIO of CP&RD to furnish the information sought for as soon the record can be obtained on the completion of the ongoing CID investigation.

Considering the fact that disclosure of information during investigation by CID may impede the process of investigation as provided for by Section (1)(d)(h) of the RTI Act, 2005, the Commission reiterates its earlier order directing the SPIO of CP&RD to furnish the required information to the appellant as soon as it is available.

**The Second Appeal is hereby disposed of.**

Sd/-

Kanak Ch. Sarma, ACS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Joint Registrar  
Assam Information Commission

**Memo No. SIC/KP(R).977 /2019**  
Copy to:

**Dtd.06.03.2020**

1. The SPIO, O/o the Commissioner, Panchayat & Rural Development Deptt., Assam, Juripar, Panjabari, Guwahati- 37 for information and necessary action.
2. The First Appellate Authority/office of the Commissioner, Panchayat & Rural Development Deptt., Assam, Juripar, Panjabari, Guwahati- 37 for information.
3. The Appellant, Md. Atiqur Rahman, Vill- Sahan, PO- Rangia, Dist.- Kamrup, Assam, Pin- 781 354 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission

