

**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

**JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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**Case No. : SIC/ KP(M)199/2020**  
**Complainant/ Appellant : Sri Joydeb Das**  
**Respondent : SPIO of Directorate of Horticulture, Khanapara, Guwahati.**  
**Date of Hearing : 9-12-2020**  
**Complaint/ Second : Dr. A.P.Rout, IPS(Retd)**  
**Appeal heard by : State Chief Information Commissioner, Assam**

**O R D E R**  
**9-12-2020**

1. The petitioner Sri Joydeb Das is present. He filed his RTI petition U/S 6(1) of RTI Act on 6.3.2020. The questions of RTI Application are as follows:
  - (i) Whether Directorate of Horticulture has supplied Bio-Organic Soil Enricher to the Director of Char Areas Development, Assam during the period 2019-20. If yes, please furnish following details.
    - (a) Please furnish a copy of sale price and source of bio soil enricher.
    - (b) Please furnish a copy of work order.
    - (c) Please furnish a copy of correspondence letter vide No. Horti. FP/04/EOI/Branding/511/2017-18/172 dated 3.10.2019.After not getting any reply he filed 1<sup>st</sup> appeal on 1.6.2020. As he did not got any response at 1<sup>st</sup> Appellate Authority level, he filed 2<sup>nd</sup> appeal before the Commission on 31.7.2020.
2. The Public Authority is represented by Sri Arup Sarma, Senior ADO (Horticulture) Directorate of Horticulture & F.P. The Senior ADO is present with verbal authorization of SPIO, Sri Abdul Jalil, Director of Horticulture.
3. The Senior ADO verbally intimated that reply to the RTI petition is ready and will be submitted today. He further stated that due to staff falling sick of Covid-19 virus, the reply could not be submitted on time as per RTI Act, 2005.
4. However, Covid related lockdown, Partial attendance of the office etc are all over by the end of July 2020. After that there are four clear months available with the SPIO to submit the reply to the petitioner.
5. The RTI Act vide Section 7(1) explains that reply to the RTI petition be given within 30 days only, and in this particular case there are four clear months available to furnish the reply.
6. In the meantime, Sri Arup Sarma, Senior ADO who is authorized to represent the SPIO in today's hearing orally intimated that SPIO of the Directorate of Horticulture is Md. Abdul Jalil and he is also holding the charge of the Director.
7. Therefore the Commission directs the SPIO to submit a written affidavit stating why no penalty to be imposed on him as per Section 20(1) of the RTI Act, 2005 for violation of Section 7(1) of the Act.
8. Fix 4.1.2021 at 11:30 A.M as the next date of hearing.

Sd/-  
Dr. A.P.Rout

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

Memo No. SIC/KP(M) 199/2020

Dated: 9-12-2020

Copy to:

1. Md. Abdul Jalil, SPIO of the Directorate of Horticulture, Khanapara, Guwahati for information. He is to submit a written affidavit as ordered above.
2. The petitioner Sri Joydeb Das, S/O-Lt. Karunamoy Das, H. No.16, Ambari Fatashil, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Guwahati for information. He is to remain present in the next date of hearing.
3. Computer section for uploading in the website
4. Office File
5. Order Book

Secretary & Registrar  
Assam Information Commission