

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/KP(M)30/2020
Complainant/ Appellant : Sri Pawan Kumar Agarwal
Respondent : SPIO of Office of Deputy Commissioner Cachar,
Silchar
Date of Hearing : 18-11-2020
Complaint/ Second : Dr. A.P.Rout, IPS(Retd)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
18-11-2020

1. The petitioner Sri Pawan Kumar Agarwal is present.
2. The Public Authority to be represented by SPIO of the Office of D.C., Cachar, Silchar is absent.
3. The petitioner Sri Pawan Kumar Agarwal filed his RTI petition dated 15.10.2019(copy enclosed) before the PIO of Commissioner & Secretary to the Govt. of Assam, Revenue & Disaster Management, Dispur **seeking information on action taken report along with the file noting on his letter dated 10.9.2019 written to Smti. Jessica Lalsiem, ACS, Cachar.**
4. Since no action was reportedly taken by the SPIO, the petitioner filed 1st appeal petition and subsequently complaint petition before the Commission dated 20.1.2020. Accordingly the notice was issued to Joint Secy., Revenue & Disaster Management and hearing was fixed on 21.8.2020.
5. The SPIO and the Joint Secy., Revenue & Disaster Management Dept., Sri Ananda Kumar Das, ACS, Joint Secy., to the Govt. of Assam filed a written statement stating that the RTI petition was transferred to the Office of D.C.Silchar vide letter no. ECF No.123542/2019/19 dated 1st November 2019 as matter relates to the Office of D.C Silchar.
6. Accordingly another date for hearing was fixed in this Commission vide notice no. SIC/KP (M)30/2020/29 dated 12.10.2020 was issued to the SPIO of the Office of D.C Silchar. The ADC, Cachar vide letter no. CRK.3/2018/65 dated 19.10.2020 intimated that due to Law & Order and Aadhar related matter etc., the SPIO was unable to attend the hearing and prayed for another date.
7. Hence, next date of hearing was fixed on 16.11.2020.
8. As 16.11.2020 was declared holiday by the Govt. of Assam, this case was subsequently re fixed on 18.11.2020 vide notice no. SIC/KP(M) 30/2020/38 dated 13.11.2020 directing both the Land Acquisition Officer and Dr. K.Sultana Ahmed, ACS, Addl. Deputy Commissioner, Cachar, Silchar to appear at the hearing.
9. In the meantime, Smti K.Sultana Ahmed, ACS, Addl. Deputy Commissioner, Cachar, Silchar has intimated this Registry vide letter no. CART.2/Appeal/2020/62 dated 5.11.2020 stating that she is not the SPIO and she has informed the concerned Land Acquisition Officer to take necessary action.
10. She has enclosed the letter of Land Acquisition Officer, Cachar, No.CLA.7/2018/83 dated 10.11.2020 addressed to Addl. DC, Cachar, Silchar I/C RTI Cell stating that Power Grid Authority took the assistance of LR staff of concerned circle as and when required and they are not directly involved in payment of compensation. Payment of compensation was the total responsibility of Power Grid Authority, India.

11. After going through the above communication, the Commission is constrained to observe that there seems to be passing the responsibility at various levels right from the LR staff to Land Acquisition Officer to other senior officers of the district of Cachar.
12. The RTI Complaint petition is a very simple statement which reads *Quote* Please provide the action taken report, file noting and present status of the letter written by Sri Pawan Kr. Agarwal dtd. 10.09.2019 to Smti. Jessica Lalsiem, ACS, Cachar and copy of this letter was forwarded to your good self (copy of letter is enclosed as Annexure No.1) in the subject matter – “ Anomalies of payment of compensation concern to the Transmission Line constructed by Power Grid Corporation of India Ltd.” *Unquote*.
13. It is not understood why a simple reply could not be given to the petitioner on what action is taken on the petition addressed to Smti. Jessica Lalsiem, ACS, Cachar.
14. In light of the above, the Commission in exercise of powers conferred u/s 19(8)(a) of the RTI Act,2005 directs the D.C.Cachar to conduct an enquiry why evasive replies are given to the Commission and also to take steps in streamlining of office procedure in disposal of RTI petition. Further action be taken on following RTI queries:
- (a) Action taken report on the application dated 10.9.2019 addressed to Smti Jessica Lalsiem, ACS, Cachar.
 - (b) Copy of file notings in connection with the disposal of the above letter.

Sd/-
Dr. A.P.Rout

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M)30/2020

Dated: 18-11-2020

Copy to:

1. Keerthi Jalli, IAS, Deputy Commissioner, Office of D.C Cachar for information and necessary action as ordered above .(Copy of the letter dated 10.9.2019 enclosed herewith for your ready reference)
2. SPIO of the Office of Deputy Commissioner, Cachar, Silchar(RTI Cell::Magistracy Branch) for information.
3. The petitioner Sri Pawan Kr. Agarwal, H. No.58., Bye Lane 2/9, Tarun Nagar, ABC, Ghy-05 for information.
4. Computer section for uploading in the website
5. Office File
6. Order Book

Secretary & Registrar
Assam Information Commission

