



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

Case No. : SIC/KP(M)165/2021
Complainant/ appellant : Sri Joydeb Das.
Respondent : The SPIO, Personnel (A) Department, Dispur, Guwahati-06
Date of hearing : 30.07.2021
Complaint/ Second : Dr. A.P. Rout.
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
30.07.2021

1. The petitioner Sri Joydeb Das is present. The public authority i.e. the SPIO of the Personnel (A) Department Sri Dharani Dhar Das, Under Secretary is present. However, he has submitted a written statement dated 28.7.2021 which is taken into records.

2. On perusal of the case records, it is seen that the petitioner Sri Joydeb Das filed RTI petition dated 18.2.2021 before the SPIO, Department of Personnel (Personnel-A) seeking following information:-

- (i) Please furnish name of the Officer(s) against whom departmental proceeding was drawn during the period 2010 till date, along with present posting till date.
- (ii) Please furnish a copy of memorandum of charges and statement of allegation.
- (iii) If, any written
- (iv) statement submitted by the Officer(s) against whom departmental proceeding drawn, if yes, please furnish a copy of the same.
- (v) Please furnish a copy of enquiry report, if any.

Please furnish a copy of order passed by Disciplinary Authority and Appellant Authority, if any appeal has been preferred.

The SPIO vide letter No AAP.95/2020/7 dated 23.2.2021 intimated the petitioner that the RTI petition is forwarded under Section 5(4) of the RTI Act, 2005 and also requested the petitioner to specify the required information so that the cost of photocopies was calculated and asked from him.

3. Reportedly the petitioner filed first appeal petition dated 24.3.2021 before the Principal Secretary/First Appellate Authority of Department of Personnel(A) stating that the SPIO has failed to furnish the information within stipulated time period. In the mean time, the Under Secretary & SPIO of Personnel (A) Department has furnished the information as regards point No. 1 of the RTI petition dated 18.2.2021 and as regards points No. 2 to 4 of the RTI petition, the SPIO intimated that the information cannot be furnished as furnishing of those documents don't seem to serve any public purpose. Then the petitioner filed complaint petition dated 19.05.2021 before the Principal Secretary/First Appellate Authority of Personnel (A) Department.

4. On perusal of the written statement submitted by the SPIO, it is seen that the information in respect of question No. 1 of the RTI petition is already furnished.

5. Further, the SPIO has formally informed the petitioner vide letter No. AAP.95/2020/37 dated 5th July, 2021 stating that copies of Memorandum of Charges, Statement of allegations, written statements submitted by the officers and enquiry reports will be huge documents. Hence, the petitioner is requested to inspect the files on 26.07.2021 at 11 A.M. under Section 2(1)(j) of the RTI Act, 2005 specifically pertaining to the information sought.

5. In light of it and as stated in last paragraph of the written statement, the Commission directs the SPIO of Personnel (A) Department to fix a date within 15 days (i.e. from the receipt of this order) as per convenience of the SPIO and the petitioner for inspection of documents and to furnish specific relevant documents as required by the petitioner.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/ KP(M)165/2021

Dtd. 30.07.2021

Copy to:

1. The First Appellate Authority of Personnel (A) Department, Dispur, Guwahati-06 for information and necessary action.
2. Sri Dharani Dhar Das, Under Secretary & SPIO of Personnel (A) Department for information and necessary action
3. Shri Joydeb Das, S/o Late Karunamoy Das, H.No-16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Ghy-25 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Secretary & Registrar
Assam Information Commission