



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

Case No. : SIC/KP(M).172/2021
Complainant/ appellant : Mrs. Naznin Ara Ahmed.
Respondent : The SPIO, O/o the Panchayat & Rural Dev. Deptt.
Date of hearing : 20.8.2021
Complaint/ Second : Dr. A.P. Rout.
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
20.08.2021

1. The petitioner Mrs. Naznin Ara Ahmed is absent. The public authority i.e. the SPIO of the Office of the Panchayat & Rural Dev. Department, Sri Dilip Kumar Das, APIO & Dy. Secretary to the Govt. of the Assam and Sri David Kr. Chakraborty, Superintendent are present.

2. On perusal of the case records, it is seen that the petitioner Mrs. Naznin Ara Ahmed has filed RTI petition dated 7.4.2021 before the Commissioner & Secretary to the Govt. of Assam/ SPIO of Panchayat & Rural Dev. Deptt seeking following information:

- (i) Please furnish certified copies of Notes Sheet and Endorsement of the File No. PDB.1/2013 (E Computer No. 3445) starting page from 30^N to till date as on 3rd April, 2021.
- (ii) Please furnish the correspondence letters of P& RD Deptt. issued or communicated to AG, Assam and Others in view of the query made from AG, Assam.

In this connection, please refer letters (i) No. GE-6/P&DD/2017/52 dtd. 26/07/2017 & (ii) No. GE-6/P&DD/2017/2031 dtd. 22/02/2017 issued by AG, Assam.

- (iii) Please furnish information of Action Taken Report point wise:
 - (a) ATR in view of Endorsement of Finance Deptt U/O dtd. 14/02/2018 for examination of the Petition dtd. 11/01/2018 addressed to Principal Secretary to the Govt. of Assam, Assam, Finance Deptt for fixation of date of absorption with seniority w.e.f. 13-03-1999.
 - (b) ATR in view of the petition dtd. 24th Sept/2020 & Appeal Petition dtd. 22nd December/2020 respectively addressed to Principal Secretary to the Govt. of Assam, P & RD Deptt.
 - (c) Furnish information or Action Taken Report (ATR) on the letter issued by Finance Deptt wise letter No. FEC(I)35/2020/55 dtd. 4/11/2020 issued to P&RD Deptt.
- (iv) Please furnish information from which date and year the services of Sri Sofiul Alom, Deputy Director, P&RD, Assam has been utilizing in P&RD Department on placement of services from Irrigation Department.
- (v) Is it fact that Sri S. Alom has been working in P&RD Deptt on placement of services from the date of joining in P&RD Deptt with effect from 13.03.1999?

If not, then please furnish exact date of joining in P&RD Deptt on initial placement of services from Irrigation Deptt to P&RD Deptt.

- (vi) Please furnish information whether Sri S. Alom is a DRDA Borne employee or an officer of state Govt. of Assam working in P&RD Deptt.
- (vii) Please furnish information whether Govt. had decided to absorb the services of Sri S. Alom permanently in P&RD Deptt or in DRDA?

If yes, NOC from Parent Deptt obtained for absorption in P&RD Deptt or DRD may kindly be furnished.

(Please specify to the fact as per record and furnish the information)

- (viii) Please furnish information with supporting documents whether the Hon'ble Cabinet of Assam has recommended for permanent and regular absorption of the services of Sri S. Alom after observing all formalities and correspondences with Finance, Personnel (B), Irrigation Deptt, Judicial Deptt etc. If yes, please furnish in details.
- (ix) Please furnish information on how many years of services Sri S. Alom rendered in P&RD Deptt from which date and year?
- (x) Please furnish information whether the period of services so rendered by him in P&RD Deptt will be taken into account with seniority?

If not, please furnish the reason behind as per Financial Rules and law for non-accounting the period of services so rendered in the interest of public services in P&RD Deptt. (in details)

- (xi) Is it fact that P&RD Deptt has not taken any fruitful decisions or kept pending for a decision more than 4 years relating to fixation date of absorption with seniority even requested by Finance Deptt?

If so, please furnish the reason behind as per Rules and laws.

- (xii) Please inform whether ACPS or MACPS has been granted or sanctioned to him by P&RD Deptt. or availed by Sri S. Alom as admissible as per Finance OM even after rendering services more than 22 years till date?

If yes, please furnish the related copies.

3. Reportedly on not getting any information, the petitioner filed first appeal petition dated. 27th May, 2021 before the Principal Secretary to the Govt. of Assam & 1st Appellate Authority, Panchayat and Rural Dev, Deptt. Then the petitioner filed second appeal petition dated 23rd June, 2021 before the Commission. Accordingly the hearing is fixed today.

4. However, the SPIO & Addl Secretary to the Govt. of Assam, Panchayat & Rural Development Department has submitted a written statement dated 19.8.2021, which is taken into case records, wherein the SPIO has mentioned that information sought for vide the RTI petition dated 7.4.2021 is related to a third party, Sofiul Ahmed, Dy Director of Commissioner, P&RD Deptt, accordingly Sri Alom was requested to inform the First Appellate Authority if he has any objection in providing the information to the RTI petitioner. . However the SPIO has also mentioned no objection Certificate has been submitted by Shri Alom and the concerned file is under process.

5. The Commissioner accepts the written statement and directs the SPIO, O/o the Panchayat & Rural Dev. Department to take necessary action accordingly.

6. In light of the above, the second appeal petition dated 23.6.2021 is disposed off.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/ KP(M).172/2021

Dtd. 20.8.2021

Copy to:

1. The SPIO, O/o the Panchayat & Rural Development Department, Dispur, Guwahati-06, Assam for information and necessary action.
2. The First Appellate Authority/ Panchayat & Rural Development Department, Dispur, Guwahati-06, Assam for information.
3. The Appellant, Mrs. Naznin Ara Ahmed, H. No-85, Hatigaon Main Road, Near Hatigaon Police Station, Guwahati-38 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Secretary & Registrar
Assam Information Commission