



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

Case No. : SIC/KP(M)163/2021  
Complainant/ appellant : Sri Joydeb Das.  
Respondent : The SPIO, Directorate of Agriculture.  
Date of hearing : 12.8.2021  
Complaint/ Second : Dr. A.P. Rout.  
Appeal heard by : State Chief Information Commissioner, Assam

**O R D E R**

12.08.2021

1. The petitioner Sri Joydeb Das filed RTI petition dated 8.3.2021 before the PIO of Directorate of Agriculture seeking following information.

- (i) Please furnish district wise amounts of fund allotted to District Agriculture Officer for farmer's Subsidy against distribution of Seed, P.P. Chemical, Bio fertilizer, Micro nutrient, Weedicides and other small machinery under NFSM and BGREI scheme the FY 2016-17, 2017-18, 2018-19, 2019-20 and 2020-21.
- (ii) Please furnish a copy of guidelines along with item wise statement of expenditure and UCs.

2. However, the SPIO & DDA (ST & S) of Directorate of Agriculture forwarded the RTI petition dated 8.3.2021 to the Nodal Office, NFSM/BGREI requesting to furnish the required information to the petitioner directly vide letter No. AGRI/RTI/8478/Pt-I/2020/305 dated 10.3.2021.

Reportedly on not getting any reply the petitioner filed first appeal petition dated 19.4.2021 before the First Appellate Authority/Director of Directorate of Agriculture. Then the petitioner filed second appeal petition dated 14.6.2021 before the Commission. According the hearing is fixed today.

3. The petitioner Sri Joydeb Das is not present as he has not yet taken Covid Vaccine as per COVID protocol intimated to him vide the Commission's notice No. SIC/KP(M)163/2021/6 dated 5.8.2021.

The public authority i.e. the SPIO of Directorate of Agriculture Sri Bijoy Chandra Sarma and Syed Rajibur Rahman, Nodal Officer are present.

4. The SPIO Sri Bijoy Ch. Sarma mentioned that immediately on receipt of the RTI application he forwarded the RTI to the Nodal Officer vide letter No. AGRI/RTI/8478/Pt-I/2020/305 dated 10.3.2021 to furnish the information (under Section 5(4) & 5(5) of the RTI Act, 2005). He also sent a reminder to the Nodal Officer vide letter No. AGRI/RTI/8478/Pt-II/2021/51 dated 03.08.2021.

5. The Nodal Officer Sri Rahman, Deputy Director (Backward area) who is present stated that he received the letter dated 10.3.2021 from the SPIO in time and collected the information in respect of BGREI scheme. Regarding NFSM scheme he stated that initially he was not the Nodal Officer of NFSM, but only on second fortnight of July he took the charges of the Nodal Officer of NFSM. After getting the charge he has not yet collected the information.

6. He further stated that he was a bit busy with the Assembly Election process for which he and his staff could not furnish the information in time. However, when the Commission asked what specific duty he did during the Assembly Election, he stated that he did not do any specific duty.

7. From the above, it is clear that the Nodal Officer Sri Rahman did not respond after getting the letter dated 10.3.2021 from the SPIO as well as the reminder dated 03.08.2021 which is in total disregard to the provision of RTI Act. Though it was also specifically mentioned in the said letter, still the Nodal Officer did not take any steps to collect and furnish information on BGREI part which he was in full charge.

8. Again during the second fortnight of July when he got the full charge of NFSM, he did not take any step to collect the information.

He also failed to intimate the SPIO that he was not the Nodal Officer of NFSM when the letter dated 10.3.2021 was addressed to him and he even remained silent when the reminder dated 03.08.2021 was issued to him.

9. **The Commission feels it to be a fit case to impose penalty under Section 20 of the RTI Act, 2005 for not furnishing the information within stipulated time period without any reasonable ground. However, the Commission directs the Nodal Officer to submit an explanation stating why penalty should not be imposed on him. The Commissioner also directs both the SPIO and the deemed SPIO i.e. the Nodal Officer to furnish the information to the petitioner within 10 days from today.**

10. With the above direction, the second appeal petition dated 14.6.2021 is disposed off.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/ KP(M)163/2021**

**Dtd. 12.8.2021**

Copy to:

1. Sri Bijoy, Ch. Sarma, SPIO of Directorate of Agriculture, Khanapara, Guwahati-22 for information and necessary action.
2. Syed Rajibur Rahman, Nodal Officer, NFSM/BGREI, Assam, Khanapara, Guwahati-22 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