



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

Case No. : SIC/KP (M).197/2021  
Complainant/ appellant : Sri Joydeb Das  
Respondent : SPIO, O/o the District Agriculture Officer, Karimganj  
Date of hearing : 7.10.2021  
Complaint/ Second : Dr. A.P. Rout.  
Appeal heard by : State Chief Information Commissioner, Assam

**O R D E R**

07.10.2021

1. The petitioner Sri Joydeb Das has filed RTI petition dated 28.1.2021 before the PIO, O/o the District Agriculture Officer, Karimganj seeking following information:

- (i) Please furnish amounts of fund received from Director of Agriculture for farmer's Subsidy against distribution of Seed, P.P. chemical, Bio fertilizer, Micro nutrient, Weedicides and others small machinery under NFSM and BGREI scheme during the FY 2016-17, 2017-18, 2018-19, 2019-20 and 2020-21.
- (ii) Please furnish in details of the statement of expenditure item wise with year wise along with a copy of guidelines.
- (iii) Please furnish digitally in pen drive copy of purchase bill and beneficiaries APR's list.

In response to that the SPIO, O/o the District Agricultural Officer, Karimganj vide letter No. DAO/Kxj/RTI/2020-21/5114 dated 23.02.2021 intimated the petitioner that there is no digital beneficiaries APR available in their office, so as to prepare the list digitally the petitioner was requested to deposit a L/S amount of Rs. 30,000/- (rupees thirty thousands).

2. From the reply of the District Agriculture Officer, Karimganj, the Commission would like to point out that the reply of the District Agriculture Officer is out right evasive, arbitrary and contrary to the RTI Act, 2005. He should have calculated the pages as per the information sought for by the RTI petitioner. Instead of that, he has arbitrary replied to the petitioner to deposit of Rs. 30,000/-. Hence the Commission observes that the reply of the SPIO, O/o District Agricultural Officer, Karimgang is arbitrary, evasive and contrary to the provision of the RTI Act.

3. After that the petitioner filed first appeal petition dated 24.3.2021 at the Office of the District Agriculture Officer, Karimganj and the District Agriculture Officer submitted the same reply as given on the RTI petition.

4. Then the petitioner filed second appeal petition dated 2.7.2021 before the Commission. Accordingly the date of hearing is fixed today. The petitioner Sri Joydeb Das is present. The SPIO, O/o the District Agriculture Officer, Karimganj is absent and has submitted a written statement dated 28.9.2021 which is taken into consideration.

5. From the content of the written statement, it is seen that the reply is not specific and as per the notice No. SIC/KP(M).197/2021/8 dated 23<sup>rd</sup> September, 2021, the SPIO, O/o the District Agriculture Officer, Karimganj should have been present and

explained his position. The observation of the Commission at paragraph 2 still stands as the written statement could not clear the position of the District Agriculture Officer, Karimganj.

Further, the judgmental content of the District Agriculture Officer *quote* *Lastly, the present 2<sup>nd</sup> appeal is not maintainable in its present form or in any other form as the appellant did not prefer any appeal before any of the senior officer of the DAO as the DAO acted as SPIO unquote*, is not based on the facts and is totally against the provision of the RTI Act and reflects the negative mindset of the SPIO, O/o the District Agriculture Officer, Karimganj in diluting and disregarding the provisions of the RTI Act. It can be presumed that the RTI petitioner may not as conversant as the District Agriculture Officer on the provisions of the Act. If the District Agriculture Officer has thought that the petitioner instead of applying to the Senior Officer than the SPIO, has approached the same Officer in the first appeal, the SPIO of the Office of the District Agriculture Officer should have forwarded this to his Senior Officer for redressal of the grievances. Instead of doing that he has unnecessarily pointed out the mistake of the RTI petitioner and trying to save himself from the provision of providing the information, which is contrary to the core value of the RTI Act.

5. In light of it, the Commission orders that the RTI petitioner may visit the District Agricultural Officer, Karimganj on a convenient date fixed by the SPIO, O/o the District Agriculture Officer, Karimgang the District Agricultural Officer and the SPIO to make available the documents for inspection and relevant pages may be given by photocopying without any cost.

6. With the above direction, the second appeal petition dated 28.1.2021 is disposed off.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission  
**Memo No. SIC/ KP(M).197/2021**

**Dtd. 07.10.2021**

Copy to:

1. Shri Rajesh Prasad, IAS, Principal Secretary to the Govt. of Assam, Agriculture Department, Dispur, Guwahati-781006 for information.
2. The SPIO, O/o the District Agriculture Officer, Karimganj, Assam PIN-788806 for information and necessary action.
3. Sri Joydeb Das, S/o- Late Karunamoy Das, H.No-16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Ghy-25, Assam for information and necessary action.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Secretary & Registrar  
Assam Information Commission