

Case No. : SIC/KP(M)278/2021
Complainant/ Appellant : Sri Bahrul Islam
Respondent : SPIO, Office of the District Agricultural Officer,
Kamrup, Ulubari Guwahati
Date of Hearing : 22/10/2021
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
22/10/2021

1. The petitioner Sri Baharul Islam has filed his RTI application before the District Agricultural Officer, Ulubari on 23.4.2021. In pursuance to that, the District Agricultural Officer, Ulubari vide his letter dated 28.4.2021 wrote a letter to Sri Baharul Islam stating that information is huge and they need some time to furnish the information.
2. In the meantime, the petitioner on 22.5.2021 filed 1st appeal before the 1st Appellate Authority of District Agricultural Officer, Ulubari. On 1.7.2021 the District Agricultural Officer forwarded the letter to Deemed PIO of the Office of District Agricultural Officer, Kamrup, Guwahati as the matter related to their department.
3. The District Agricultural Officer on 22.7.2021 furnished part information to the appellant. Then the petitioner filed 2nd appeal before the Commission on 7.9.2021 and accordingly the matter was taken up for hearing.
4. The Public Authority is represented by Sri Hamen Das, SPIO, O/o the District Agricultural Officer, Kamrup, Ulubari and he is accompanied by Sri Sankar Chandra Dutta, Sr. ADO (authorised by 1st Appellate Authority).
5. The petitioner Sri Baharul Islam is absent. But he has authorised Md. Abu Tahir to appear at the hearing. Accordingly, Md. Abu Tahir is present at the hearing.
6. In the hearing, representative of the petitioner stated that out of 74 dealers, he has received information from 24 dealers only and remaining 50 are yet to be given by the SPIO/Deemed PIO and he needs the remaining information.
7. The SPIO mentioned that the information regarding 28 dealers are already given to the petitioner and he has brought information on six more dealers today. The Commission directs him to hand over the information on six more dealers to the petitioner.
8. Sri Sankar Chandra Dutta, Sr. ADO and authorised representative of 1st Appellate Authority has pointed to point no. 8 of the 2nd appeal petition wherein it is stated that the petitioner has got information from 15 dealers directly. He has also mentioned that there is serious breach of official procedure as dealers are not supposed to give the information directly.
9. Sr. ADO requested before the Commission to direct the appellant to furnish the list of the detailed report so that they will be able to conduct an enquiry.
10. The Commission on perusal of RTI Act which aims at transparency of information from SPIO/Deemed PIO, the Commission directs the list be given and representative of the 1st Appellate Authority may look into it.
11. In the meantime, since representative of the petitioner says that they are yet to get the information on large number of dealers/suppliers to which the Commission feels that dealers/suppliers are directly responsible to the department on receipt and supply of the fertiliser.

The Agricultural Officials must have used their authority and got the information on time bound way as per the provision of the RTI Act and delinquency on the part of the dealers should have been handled by them. Instead of writing the letters and waiting for the dealers to take action and furnish information as per their sweet will, the officers must have ensured compliance.

12. The Commission therefore directs the SPIO to furnish the remaining information to the petitioner within one month.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/ KP(M).278/2021

Dtd. 22.10.2021

Copy to:

1. The SPIO, Office of the District Agricultural Officer, Kamrup, Ulubari, Guwahati for information and necessary action.
2. The First Appellate Authority of the Office of District Agriculture Officer, Kamrup, Ulubari, Guwahati for information.
3. The petitioner Baharul Islam, Advocate, Sijubari, Hatigaon, Guwahati for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Secretary & Registrar
Assam Information Commission