



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

Case No. : SIC/KP(M).35/2021
Complainant/ appellant : Sri Joydeb Das
Respondent : SPIO, District Agriculture Officer, Bongaigaon
Date of order : 20.11.2021
Complaint/ Second : Dr. A.P. Rout.
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
20.11.2021

1. In continuation of Commission's earlier orders dated 26.2.2021 and 26.03.2021 and affidavit dated 22.4.2021 from the SPIO cum Sr. ADO, Bongaigaon and this Commission's notice dated 8.11.2021 the hearing is taken up for today.

2. The petitioner Sri Joydeb Das is present. The public authority i.e. the SPIO of the District Agricultural Officer, Bongaigaon Sri Debashish Nath, ADO is also present. Considering the affidavit of Sri Debashish Nath, it was asked to the appellant whether the inspection was taken or not.

3. The appellant stated that he has taken some photographs during the inspection and after inspection he sorted out certain documents which are to be supplied to him through Registered Post. He has further intimated how the information is to be compiled and sent.

4. Since the transferred RTI application was received by the District Agriculture Officer, Bongaigaon on 23.5.2020 and since the original order was on 26.2.2021 stating

*"The written statement dated 23.2.2021 submitted by the District Agriculture Officer is perfunctory and not to the point. This letter even does not mention on which date the District Agriculture Officer had given instruction to the SPIO of the Office of the District Agriculture Officer. He has also given lame excuse as follows
" But due to over burden of work load, out of different ongoing enquiries like PM-KISAN etc. at that time timely follow up for the answer against the petitions count not be materialized".*

And since Section 7 of the RTI Act, 2005 clearly specifies that the time available to the SPIO to furnish the information is within 30 days from the date of receipt of the RTI petition and as another 30 days is available to the First Appellate Authority, in this particular case enough time has been given to the SPIO and the First Appellate Authority.

It appears that they have taken the things very casually and without any application of mind with utter disregard to the provision of the RTI Act, 2005 and the District Agriculture Officer praying for another two months time without valid reason"

In pursuance to the Commission's earlier order dated 26.3.2021, the SPIO Sri Debashish Nath has submitted his affidavit which is far from satisfactory.

5. **The Commission after considering everything as above and taking all the documents into consideration as well as written and oral statement of the SPIO and the petitioner into consideration, feels that this is a clear case where**

the provision of Section 7 of the RTI Act is violated and hence invites the penalty under Section 20 of the RTI Act, 2005.

6. As the SPIO has brought the remaining information, the Commission takes a lenient view and imposes a fine of Rs. 500/- and disposes the case.

The SPIO is directed to deposit the penalty of Rs. 500/- (Five hundred) in the Head of Account "0070-Other Administrative Services" by Treasury challan within 30 days from the date of receipt of this order.

Authenticated copies be given to all concerned.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/ KP(M).35/2021

Dtd. 20.11.2021

Copy to:

1. Sri Debashish Nath, SPIO of the Office of the District Agriculture Officer, Bongaigaon, Assam PIN-783380 for information and necessary action.
2. Sri Joydeb Das, S/o- Late Karunamoy Das, H.No-16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Ghy-25 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Secretary & Registrar
Assam Information Commission