



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

Case No. : SIC/KP(M).351/2021
Complainant/ appellant : Sri Joydeb Das
Respondent : SPIO, Assam Seeds Corporation Ltd.
Date of order : 9.12.2021
Complaint/ Second : Dr. A.P. Rout.
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R

9.12.2021

1. The petitioner Sri Joydeb Das has filed RTI petition dated 09.08.2021 before the PIO of Assam Seeds Corporation Ltd seeking following information

(i) Whether Branch Manager, ASC, Dibrugarh and Tinisukia has submitted crops wise copy of bills, voucher, APRs of trainees and copy of minutes under the seed village scheme during the period 2017-18 and 2018-19 and 2019-20. If yes, please furnish copy of the same.

(ii) If, not submitted, please furnish reason thereof and an amount of fund released to Branch Manager, ASC, Dibrugarh and Tinisukia for training under the scheme seed village during the period 2017-18, 2018-19 and 2019-20.

2. Reportedly on not getting any information the petitioner filed first appeal petition dated 24.09.2021 before the First Appellate Authority of Assam Seeds Corporation Ltd. In the mean time the SPIO & ABM (HQ) vide letter No. ASC/506/RTI/JD/2021-22 dated 21/10/2021 has forwarded the RTI petition to the In-Charge Branch Manager, Dibrugarh Branch, ASC Ltd. Dibrugarh for furnishing the information directly to the petitioner.

3. Then the petitioner filed second appeal petition dated 1.11.2021 before the Commission. Accordingly the date of hearing is fixed today.

4. The petitioner Sri Joydeb Das is present. The public authority i.e. the SPIO of the Assam Seeds Corporation Ltd. is absent. However, she has sent an email dated 9.12.2021, enclosing the written reply given to the petitioner which is taken into records.

5. **While examining the case records, it is seen that the petitioner has filed the RTI petition on 9.8.2021 and first appeal petition on 24.9.2021. But the SPIO of Assam Seeds Corporation Ltd has forwarded the RTI petition to the In charge Branch Manager, Dibrugarh on 21.10.2021, which is almost nearly two month from the date of RTI petition. It is surprising to note that for what reason the SPIO took more than two months to forward the petition to the In-Charge Branch Manager, Dibrugarh.**

6. From the above, it is clear that SPIO has totally been contravening the Section 6(iii) of the RTI Act, 2005 which reads

"Where an application is made to a public authority requesting for an information:

(a) Which is held by another public authority; or

(b) The subject matter of which is more closely connected with the functions of another public authority;

the public authority, to which such application is made shall the transfer the application or such part of its as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of application".

The SPIO has failed to comply with the provision of the RTI Act.

7. The petitioner stated that though they have mentioned about the sanctioned amount but they have not furnished any vouchers, bills etc. He raised the points that the amount could not be sanctioned without receipt of proper bills and vouchers.

8. **In light of it, fix another date of hearing is fixed.**

The SPIO is directed to personally appear (if required with the deemed PIO) to explain why penalty under Section 20 of the RTI Act should not be imposed on her for her failure to furnish the information within stipulated time period violating Section 6 of the RTI Act, 2005.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/ KP(M).351/2021

Dtd. 9.12.2021

Copy to:

1. Smti Alpana Boro, SPIO and Assistant Branch Manager, Assam Seeds Corporation Ltd., Khanapara, Guwahati-22 for information and necessary action.
2. The In-Charge Branch Manager, Dibrugarh Branch, ASC Ltd. Dibrugarh, Assam for information and necessary action.
3. The First Appellate Authority, Office of the Assam Seeds Corporation Ltd. Khanapara, Guwahati-22 for information.
4. 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.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Secretary & Registrar
Assam Information Commission