

Case No. : SIC/KP(M).37/2021
Complainant/ Appellant : Shri Joydeb Das.
Respondent : The SPIO, O/o the District Agricultural Officer,
Bongaigaon, Assam PIN Code 783380.
Date of Hearing : 20-09-2021
Complaint/ Second
Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
20-09-2021

1. The appellant Shri Joydeb Das is present.
2. Shri Debashish Nath, SPIO and Sr. ADO, O/o the District Agricultural Officer, Bongaigaon, is present.
3. During today's hearing it was found out that while Shri Joydeb Das had submitted one RTI application to the PIO, O/o the Deputy Commissioner, Bongaigaon, on 13.05.2020, the same was transferred by the SPIO, O/o the Deputy Commissioner, Bongaigaon to the District Agricultural Officer, Bongaigaon, on 21.05.2020, vide letter No. BRTI.2/2017/Pt-IV/323 dated 21.05.2020. On not receiving any response the appellant submitted one Appeal before the FAA, O/o the District Agricultural Officer, Bongaigaon, on 03.12.2020. Aggrieved on not receiving any response to his 1st Appeal, Shri Joydeb Das preferred a 2nd Appeal before this Commission on 30.01.2021. Acting on the 2nd Appeal the Commission had fixed 07.04.2021 as date of hearing but the same had to be postponed to 27.04.2021, following a request by the SPIO dated 09.03.2021 because most of the officers were engaged in election duty. Hearing could not be held on 27.04.2021 due to the pandemic situation and was fixed for today.
4. During today's hearing the SPIO, Shri Debashish Nath, verbally informed that he had already furnished a portion of the informations to the appellant. He however could not provide any proof of providing the informations and stated that he had not kept any record of furnishing the informations. The appellant Shri Joydeb Das said that he was indeed provided a portion of the information and that he was still waiting for the remaining portions of the informations sought. The SPIO said he was carrying the remaining information for handing over to the appellant. The appellant Shri Joydeb Das has insisted that the informations should be accompanied by a forwarding letter of informations provided.
5. **In view of the above, the SPIO Shri Debashish Nath is directed to furnish the remaining portions of informations by observing all official formalities and keeping necessary records, within 7 (seven) days from the date of receipt of this order. He is also directed to inform the Commission accordingly.**
6. The Commission is constrained to put on record that the SPIO Shri Debashish Nath, being a Sr. ADO in the Department of Agriculture, has chosen to remain ignorant

about the various provisions of the RTI Act, 2005, as also the formalities that are required for to be observed maintaining official records of correspondence in a government office.

7. With the above, order this 2nd Appeal is hereby disposed of.

Sd/-
(Samudra G. Kashyap)
State Information Commissioner,
Assam.

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).37/2021

Dated: 16-09-2021

Copy to:

1. The SPIO, O/o the District Agricultural Officer, Bongaigaon, Assam PIN Code 783380, for information and necessary action.
2. The First Appellate Authority/ District Agricultural Officer, Bongaigaon, Assam PIN Code 783380, for information.
3. The petitioner, Shri Joydeb Das, S/o- Late Karunamoy Das, H. No. 16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati, PIN Code 781025, Assam, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar
Assam Information Commission.