

Case No. : SIC/KPM 107/2022
Complainant/ Appellant : Sri Joydeb Das
Respondent : SPIO, District Commandant of Home Guards,
Panikhati, Guwahati 26, Assam
Date of Hearing : 19/05/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by : State Chief Information Commissioner, Assam
O R D E R
14/06/2022

1. The petitioner Sri Joydeb Das has filed one RTI petition before the PIO of District Commandant, Home Guards, Kamrup, Panikhati, Assam on 4.1.2022 seeking some following information:
 - (a) Please furnish list of how many number of home guards trained in Kamrup District during the period 1st January, 2020 to till date.
 - (b) Please furnish list of how many number of home guards have not got even one appointment during the 1st January 2018 to till date.
 - (c) Please furnish list of how many number of home guards get appointed without break after six month during the period 1st January 2018 to till date.
 - (d) Please furnish list of how many number of home guards working in Indian Oil Corporation Ltd. Noonmati, Guwahati 21 during the period 1st January 2018 to till date.
 - (e) Please furnish list of how many number of home guards working in All India Radio during the period 1st January 2018 to till date.
2. On not being satisfied with the information received, the petitioner filed a complaint petition u/s 18(1) of the RTI Act, 2005 before the Commission on 16.3.2022.

Accordingly, the matter was taken up for hearing.
3. The petitioner Sri Joydeb Das is present.
4. The Public Authority is represented by Sri Basanta Sarma, District Commandant, Home Guards, Kamrup, Guwahati.

The Assistant Public Information Officer & District Commandant, Home Guards, Kamrup, Panikhati, Guwahati sent a reply vide letter no. KHG.128/2014-21/157 dated 27.1.2022 to the petitioner stating as follows:

Point No.1: (a) Year 2020 12 Nos.

(b) Year 2021 15 Nos. and

(c) Year 2022 Nil

Point No.2: No such report from Home Guard Volunteers has been received.

Point No.3: As per online HDGS the expiry of six months period of deployment is continuously notified. So technically no Home Guard Volunteers beyond six months period may be treated as Nil.

Point No.4: Information relating deployment of force has been exempted by the Govt. of Assam, Political (A) Department vide notification no. PLA.384/2005/55 dated 8.3.2006. Hence it cannot be provided.

Point No.5: Information relating to deployment of force has been exempted by the Government of Assam, Political (A) Department, vide notification no. PLA.384/2005/55 dated 8.3.2006. Hence, it cannot be provided.

5. In addition to that the Assistant PIO submitted a written statement dated 19.5.2022 stating as follows:

Reply to Point no.2 of the RTI petition: All Active Home Guard volunteers have got deployment.

Reply to Point No.3 of the RTI petition: All Active Home Guard volunteers of Kamrup District are deployed with break after six month.

6. In respect of query no.1, the SPIO verbally stated that the information is furnished.

As regards to point no.4 and 5, the District Commandant took recourse to Government notification no.PLA.384/2005/55 dated Dispur, the 8th March,2006 and said that the information sought is exempted u/s 8 of the RTI Act,2005.

However, Government notification No. PLA.384/2005/55 dated Dispur, the 8th March,2006 reads as follows: The Governor of Assam is pleased to notify the exemption from disclosure of the following information u/s 8 of the Right to Information Act, 2005 of Government of India. This is addition to the items from (a) to (j) under section 8(1) of the same Act.

Individuals to security arrangements in respect of individuals/organisations/vital installations.

As regards to query no.2, the petitioner said that he is not satisfied with the reply, specific reply is required.

As regards to point no.3, the petitioner said that he is not satisfied with the terminology (technically) used by the Commandant.

7. In the meantime, the petitioner also submitted a written statement dated 19.5.2022 stating that he is not satisfied with the reply of the Commandant and he desires physical inspection of documents in respect of point no.2 and 3.
8. On perusal of the Government order, the Commission would like to accept the written statement submitted by the PIO on seeking exemption to the reply to point no. 4 and 5 and orders that information need not be given to the petitioner.
9. However, on perusal on the reply of the Commandant and prayer of the petitioner, the Commission allows inspection of the documents within one month.
10. In view of the above, the case is disposed off.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).107/2022

Dtd. 14.6.2022

Copy to:

1. The SPIO, District Commandant of Home Guards, Panikhati, Guwahati 26 Assam for information and necessary action.
2. The petitioner Sri Joydeb Das, S/o Late Karunamoy Das, House No.16, Ambari Fatashil, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Guwahati 25 Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission