

ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : SIC/KPM.490/2022
Complainant/ Appellant : Sri Joydeb Das
Respondent : SPIO, Personnel (A) Department, Dispur
Date of Hearing : 10/11/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner,
Assam

O R D E R
10/11/2022

1. The petitioner Sri Joydeb Das has filed one RTI petition before the PIO, Personnel (A), Department, Dispur on 16.7.2022 seeking some information(copy enclosed).
2. The Deputy Secretary, Personnel (A) Department forwarded the RTI petition to the Deemed PIO asking him to furnish the information directly to the petitioner. This was also intimated to the petitioner.
3. Reportedly on not getting any information, the petitioner filed 1st appeal before the First Appellate Authority, Personnel (A), Department, Secretariat, Dispur on 23.8.2022
4. Subsequently, after obtaining the information, the Secretary to the Government of Assam, Personnel Department, Dispur forwarded the reply to the petitioner on 26.9.2022 as follows:
Query No.1: Nil as no such record found.
Query No.2: Nil
Query No.3: Nil
Query No.4: Nil as no such record found.
Query No.5: Nil
5. Reportedly on getting contradictory reply, the petitioner filed 2nd appeal before the Commission on 10.10.2022 and accordingly the matter was taken up for hearing.
6. The petitioner Sri Joydeb Das is present.
7. The Public Authority is represented by Sri Dharani Dhar Das, SPIO, Personnel (A) Department.
8. At the hearing, the petitioner by submitting a copy of letter dated 6.7.2022 which is obtained from Gauhati High Court which states that Central Bureau of Investigation furnished certain documents vide their letter no DPSHG/2013/1097/RCSHG 2011A0005 Dated 5.3.2013 which has been considered along with the view of Learned Advocate General Assam furnished vide letter no. AGL.92/78/Pt/178 dated 9.4.2013 (order copy enclosed).
9. After producing this, the petitioner said that the SPIO as well as the Deemed PIO had deliberately and in contravention of the provision of RTI Act,2005 did not furnish the information to him. He also prayed that fact may be brought to the notice of the Higher Authorities in the Government.
10. The SPIO who is present at the hearing stated that whatever information he has obtained from the Deemed PIO, has provided to the petitioner.

As the petitioner has already produced the copy of the Government order in refusing the prosecution sanction, the Commission directs the PIO/Deemed PIO to provide the remaining information as per the RTI petition within two weeks.

11. The case is disposed off.

Authenticated copies to be given to all concerned.

12. Copy to be marked to Commissioner & Secretary, Home & Political Department, Dispur.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KPM 490/2022

Dtd. 10.11.2022

Copy to:

1. The Commissioner & Secretary, Home & Political Department, Dispur for information.
2. The PIO, Personnel (A) Department, Assam Secretariat Dispur, Guwahati 06 for information and necessary action.
3. The Deemed PIO, Personnel (A) Department, Assam Secretariat Dispur, Guwahati 06 for information and necessary action.
4. The petitioner Sri Joydeb Das, S/o Lt. Karunamoy Das, H.No.16, Fatashil Ambari, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Guwahati 25 for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Registrar
Assam Information Commission