

URGENT / TIME BOUND

No. AAP.18/2019/145
GOVT. OF ASSAM
PERSONNEL (A) DEPARTMENT
ASSAM SECRETARIAT (CIVIL) DISPUR
GUWAHATI-781006

Dated Dispur the 9th October, 2020

To:

Shri. Joydeb Das,
House no.- 16, Ambari Fatashil,
Kushal Konwar Road, Near Mayur Krishna Cinema Hall,
Guwahati-781025, Assam

Sub: Furnishing Information under the RTI Act, 2005

Ref: Your application dated 16-10-2019

Sir,

With reference to the subject cited above, I am directed to inform you that the information as sought for vide your RTI application under reference is as follows:-

- 1) Pertaining to your **query no.-1**: Yes, as per available records, Shri Bibhash Chandra Modi, ACS has submitted his Annual Property Return for the years 2011, 2012, 2016, 2017 and 2018 respectively. You are requested to visit the official website of Personnel Department (www.personnel.assam.gov.in) for the required information.
- 2) Pertaining to your **query no.-2**: Yes, as per records, Shri Bibhash Chandra Modi, ACS has submitted his Annual Property Return at the time of joining service.

However in the case of Girish R Deshpande –Vs- CIC, the Apex Court held that Income Tax Returns, Assets, Liabilities, Official Orders and performance records of public officers are personal information and can be exempted U/S 8 (1) (j) of the RTI Act of 2005. The Division bench was headed by Justice Dipak Mishra and Justice KS Radhakrishnan.

In the view of the above, the said information can not be furnished U/S 8 (1) (j) of the RTI Act of 2005.

If you are not satisfied with the reply, you have the right to appeal before the 1st Appellate Authority under Section 19 (i) of the Act within 30 days, whose name and designation is given below-

Smti Binita Pegu, IAS
Secretary to the Govt. of Assam
Personnel Department,
Assam Secretariat (C), Dispur, Guwahati-06

Yours faithfully

Sd/-

(Sharmila Baishya, ACS)
Deputy Secretary to the Govt of Assam &
State Public Information Officer
Personnel (A) Department.

Memo No. AAP. 18/2019/145-A

Dated Dispur the 9th October, 2020

Copy to:

1) Personnel.assam.gov.in, Personnel (A) Deptt., Assam Secretariat, Dispur, Guwahati – 6.

By Order etc.

[Handwritten signature]
09/10/2020

Deputy Secretary to the Govt of Assam &
State Public Information Officer
Personnel (A) Department