

Right to Information Act, 2005

ASAMB's RTI Procedure

1. Title: These Rules may be called as 'ASAMB's Right to Information Rules, 2005'.
2. Definitions: In this Act unless the context otherwise requires-
 - 2.1 The 'RTI Act' means 'The Right to Information Act, 2005'.
 - 2.2 'ASAMB' means the Assam State Agricultural Marketing Board, Ram Krishna Mission Road, Ulubari, Guwahati-781 007.
 - 2.3 'RMC' means the Regulated Market Committees constituted under Section 7(1) of the Assam Agricultural Produce Market Act, 1972.
 - 2.4 'State Information Commission' means State Information Commission constituted under sub-section (1) of Section 15.
 - 2.5 The Chief Executive Officer, ASAMB (herein after CEO) means the Chief Executive Officer of ASAMB and Appellate Authority for the purposes of this Act.
 - 2.6 'Public Information Officer' (herein after PIO) means the officer designated by the ASAMB for the purpose of the RTI Act, 2005 (for this purpose the Publicity Officer, ASAMB shall be the PIO, presently the post held by Shri Jayanta Kumar Mazinder Baruah.
 - 2.7 'Information' means any material in any form or information relating to any of the affairs/ activities of the ASAMB.
 - 2.8 'Right to Information' means the right of access to information relating to the affairs of the ASAMB and Regulated Market Committees (RMC), by means of (a) obtaining certified copies of documents or records, or (b) inspection of accessible records and taking notes and extracts, or (c) inspection of public works, or (d) taking of samples of material from public works.
3. Right to Information- subject to the provisions of the RTI Act, 2005, every citizen shall have right to obtain information from the PIO, ASAMB and the PIO shall be liable to provide information under and in accordance with the provisions of RTI Act, 2005.
4. Procedure for supply of information-
 - 4.1 Any persons seeking information shall make an application to the PIO, ASAMB giving particulars of the matter relating to which information is sought as per the format furnished below along with the requisite fees prescribed.

To: The Public Information Officer,
Assam State Agricultural Marketing Board,
R K Mission Road, Ulubari,
Guwahati-781 007.

Full name of the applicant :
Complete Postal Address :
Particulars of information required :
(i) Nature of information required :
(ii) Name of the office or department to which the information relates :
(iii) Subject matter of information :
(iv) The year and place or area to which the information relates :
(v) Time by when the information is required :
(vi) Number of pages of a document is required :

Place :

Date :

4.2 Fees for obtaining the information- the following fee shall be applicable in terms of provision of the Section 7(1) of the RTI Act, 2005.

4.2.1 The request for seeking information under the RTI Act, 2005 shall be accompanied by a proof of payment of a fee as prescribed below for furnishing of information.

4.2.2 If requisite fee as prescribed below is not paid for the required information, the information as sought may not be made available.

4.2.3 The appeal shall be accompanied with such fee, and be deposited and tendered in the manner prescribed below-

4.2.3.1 A non-refundable fee of Rs. 25.00 (rupees twenty five) only for each application, by any applicant, to the PIO against a receipt.

4.2.3.2 In addition, for photocopying a non-refundable fee of Rs. 1.50 (rupees one and paisa fifty) only shall have to be deposited as the cost of photocopying expenses. The applicant shall indicate how many pages of a document are required and deposit the requisite fees to the PIO against a receipt.

4.2.3.3 If the number of pages cannot be anticipated by the applicant, a lump-sum amount indicating the number of pages required as accessed by the PIO may be deposited, and access amount deposited, if any, shall be refunded to the applicant by the PIO at the time handing over of the information.

- 4.2.4 Chief Accounts Officer (Ext), ASAMB shall assist the PIO and keep records of fees received and refunded.
- 4.3 Upon receipt of an application, the PIO shall consider it and placed before the Chief Executive Officer, ASAMB, and if the information is such which can be provided and do not fall within the categories specified under Section 8 of the RTI Act, 2005, the PIO shall provide the information with approval of the Chief Executive Officer, ASAMB within 30 days of receipt of application under sub-section 7(1) of the RTI Act, 2005.
- 4.4 The PIO upon receipt of an application shall forward the same in files of the ASAMB (maintained for the purpose) for approval of the Chief Executive Officer, ASAMB requesting the information/documents within maximum 4 (four) days of receipt of the application.
- 4.5 The officer of ASAMB to whom an application has been marked in file by the PIO, with approval of the CEO shall within maximum 7 (seven) days furnish the documents to the PIO for further necessary action.
- 4.6 In case information and documents are not available with the concerned officer, the officer shall within three days of receipt of an application in file from the PIO, with the approval of CEO, request for information/document from the concerned officer of the line department, who is directly responsible for maintaining the information/document with intimation to the Head of the concerned line department of the State Government.
- 4.7 Where the information sought by the applicant falls under the restricted categories specified under Section 8, the PIO shall refused to provide information and shall communicate his decision to the applicant within 30 (thirty) days from the date of receipt of application under sub-section(1).
- 4.8 The PIO and other officers of ASAMB shall make themselves familiar with the RTI Act, 2005 and will work as a team for the purpose of the Act.
5. The information sought may be made available in the form it is available by copying or photocopying the same.
6. The information may be sought from and may be furnished by the PIO, after obtaining the same from the concerned officers in the ASAMB or from the concerned RMCs (in case the information/document is not available in the office of the ASAMB), where from the information has originated or where any record is normally maintained or deposited.
7. Restrictions on Right to Information: The CEO may, for reasons to be recorded in writing, withhold information, the disclosure or contents only as per provision of Section 8 and Section 9 of the RTI Act, 2005.

8. First appeal-

- 8.1 Any person aggrieved by the information/document furnished by PIO or any person who has not received required information from the PIO within the time 30 (thirty) days stipulated under Section 7(1) of the RTI Act, 2005 may appeal to the CEO of ASAMB or Appellate Authority for necessary action; provided that no order adversely affecting the person making appeal shall be passed unless an opportunity of being heard is afforded to him and also to the PIO.
- 8.2 Every appeal, shall be heard and decided expeditiously and by all means be disposed of within 30 (thirty) days from the date of presentation of appeal.
- 8.3 The appeal shall be accompanied with proof of fee deposited or tendered in the matter provided in accordance with the norms cited above.
- 8.4 Every appeal shall specify- (a) the name and address of the appellant and the particulars regarding the PIO; (b) the date of receipt of the reply/documents from the PIO appealed against; (c) grounds of appeal; (d) the relief which the applicant claims.

9. Second appeal-

- 9(1) Any person continue to be aggrieved by the information/document furnished after the first appeal by the CEO of ASAMB or Appellate Authority may appeal to the State Information Commission; provided that no order adversely affecting the person making the appeal shall be passed unless an opportunity of being heard is afforded to him as well as to the CEO/ Appellate Authority.
- 9(2) Every appeal shall be heard and decided expeditiously and by all means disposed of within 30 (thirty) days from the date of presentation of the appeal.
- 9(3) The appeal shall be accompanied with the proof of fee deposited or tendered in the manner provided in accordance with the provisions indicated above.
- 9(4) Every appeal shall specify- (a) the name and address of the appellant and the particulars regarding the First Appellate Authority; (b) the date of receipt of the reply/documents from the First Appellate Authority appealed against; (c) the grounds of appeal; (d) the relief which the applicant claims.