




 भारत सरकार
 Government of India
 कृषि एवं किसान कल्याण मंत्रालय
 Ministry of Agriculture and Farmers Welfare
 कृषि, सहकारिता एवं किसान कल्याण विभाग
 Department of Agriculture, Cooperation and Farmers Welfare
 उत्तर पूर्वी क्षेत्र कृषि संघ प्रशिक्षण एवं परीक्षण संस्थान,
 FARM MACHINERY TRAINING & TESTING INSTITUTE (NER)
 विश्वनाथ चारिआलि, जिला- विश्वनाथ (असम)
 Biswanath Chariali: Dist. - Biswanath: Assam-784176

Web site : <http://nerfmtti.nic.in>E-mail : fmti-ner@nic.in

No.17-1/2013-RTI - 571

Dated. 13th June, 2017

To,

Shri Dipak Das
Section Officer
IGNOU, Evolution Centre
Auin Villa, House No.3
Near to Dispur Govt. H.S. School
G.S. Road, Guwahati-6

Sub:- Seeking Information under RTI Act, 2005.

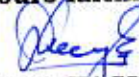
Dear Sir,

This is in reference to your Application dated 6th March, 2017 received from Shri Dipak Das regarding seeking information under RTI Act, 2005. In this regard, requisite information is furnished as under:-

| Sl. No. | Information Sought | Reply |
|---------|--|---|
| 1 | Shri M.K. Vishwakarma, Ex-Director was retired from Govt. service on 31-01-2015. It doesn't mean that he had taken all the files and documents along with him. He was recorded his comments in the personal file, henceforth it is not feasible to provide his consent means tantamount to hiding of records. Kindly provide me the file noting of the then Director and Ministry's/DOPTs order wherein Director has empowered to use his administrative discretionary power. As per court of law, Mala-fide exercise of discretionary power is bad as it amount to abuse of power with a particular employee. | The noting portion of the then Director, Shri M.K. Vishwakarma is enclosed as Annexure-I (P/70-77) and copy of Ministry's letter No.6-6/90-My (Admn.) dated 13 th Nov., 1990 vide which Director of NERFMTTI, Assam is delegated as Head of Department with powers (Copy enclosed as Annexure-II). |
| 2 | Ministry had turn down the pay fixation order of Dipak Das vide their letter No.9-76/2012-M&T (Admn.) dated 2 nd Nov, 2016 which is contradictory itself. The same Ministry's vide letter No.2-17/2008-M&T (Admn.) dated 11 th Nov, 2008, it was directed that all the pay fixation case get verified from respected PAO office which is nodal office for verification/ tendering advice in the matter. The information sought by me is third party information as per RTI Act, 2005. Therefore, I request you kindly ask to Ministry and PAO, Kolkata to provide the OM/ Directives/ Rule under which the | Ministry and PAO, Kolkata may kindly look into to provide the information as sought by the Applicant under RTI Act., 2017. |

merger of pay has been disallowed. It is fundamental right of the Government servant to know the rule position.

Yours faithfully



(K.K. NAGLE)
DIRECTOR

& Appellate Authority


Encls. As above.

Copy to-

1. The Director-M&T, Govt. of India, Ministry of Agriculture and Farmers welfare, Department of Agriculture, Cooperation and Farmers Welfare, Room No.398A, Krishi Bhawan, New Delhi-110001 with the request to kindly look into to provide the information sought in point No.2 by the applicant.
2. The Sr. Accounts Officer, Pay & Accounts Office, Ministry of Agriculture and Farmers welfare, Department of Agriculture, Cooperation and Farmers Welfare, 234/4, AJC Bose Road, Nizam Palace Campus, Kolkata-700001 with the request to please look into to provide the information sought in point No.2 by the applicant.



DIRECTOR
& Appellate Authority

Issued

13/6/17


13/6/17