



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M).129/2012

Complainant/ appellant : Sri Raj Goswami

Respondent : Mines & Minerals Department, Govt. of Assam

Date of hearing : 08. 9.2015

Complaint/ Second : Shri H.S. Das, IAS (Retd)
appeal heard by Chief Information Commissioner, Assam

O R D E R
08.9.2015

The Public Authority is represented by Sri Saurabh Sharma, SPIO and Sr. Drilling Engineer in the Directorate of Geology & Mining, Assam, Kahilipara, Guwahati-19. The petitioner Shri Raj Goswami is absent without information. The second appeal petition dtd 15.10.12 filed by Shri Raj Goswami before this Commission is taken up for hearing ex-parte.

From perusal of the case records it is seen that the Commissioner & Secretary to the Govt. of Assam, Mines and Minerals Department has already passed an order on 30.10.12 in his capacity as First Appellate Authority. It is recorded in the said order that two opportunities were given to the appellant Shri Raj Goswami – 30th August, 2012 and again on 19.9.12. But the appellant failed to appear at the time of hearing on both the occasions, following which the FAA disposed of the first appeal petition of Shri Raj Goswami. Meanwhile on 15.10.12 the applicant filed a second appeal petition before this Commission.

The Joint Secretary and First Appellate Authority of the Mines & Minerals Department has made a written submission dtd 7.9.15, which is entered into the case records.

In view of absence of the petitioner at the time of hearing before the FAA on two consecutive occasions and filing of the second appeal petition before this Commission between the two hearings of the FAA appears to be a case of vexetious and redundant litigation. Moreover, the Commission's notice for today's hearing has been returned by the Postal Authority with the remark on the cover that "**found door locked**". The SPIO of the Geology & Mining Department also

submitted that their communication with the appellant was also returned by the Postal Authority with the remark that “**the addressee is not traceable**”.

In view of the above facts and circumstances of the case, the second appeal petition dtd 15.10.12 is dismissed.

Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No.KP(M).129/2012/

Dtd. 08.9.2015

Copy to:

1. The Commissioner & Secretary to the Govt. of Assam, Mines & Minerals Department, Dispur, Guwahati-6 for information.
2. The Sr. Drilling Engineer & SPIO in the Directorate of Geology & Mining, Govt. of Assam, Kahilipara, Guwahati-19 for information.
3. Shri Raj Goswami, C/o- Motiur Rahman, Satmile Garigaon Path, House No. 6, PO- Jalukbari, Guwhati-14 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission