

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

Case No. : KP(M).272/2013
Appellant : Sri Dulal Bora.
Respondent : The SPIO, O/o the Home Department, Govt. of Assam
Date of hearing : 29.02.2016
Second Appeal heard by : Shri H. S. Das, IAS (Retd),
Chief Information Commissioner, Assam

O R D E R
29.02.2016

The Public Authority is represented by Sri Bhaskar Pegu, ACS, Joint Secretary & SPIO of Home Department Assam.

The Petitioner Sri Dulal Bora is absent. He has sent a prayer dated 29.02.2016 for refixation of the date of hearing as he is unable to attend today's hearing due to some personal problems.

However, in view of the large number of pending cases with this Commission, the Second Appeal dated 22.05.2013 is taken up for hearing *ex-parte* in the absence of the Petitioner.

From perusal of the case records it is seen that the Petitioner filed his RTI Petition dated 11.02.2013 with the PIO of Home Department, Govt. of Assam seeking Xerox copies of Police Verification and other relevant documents on the basis of which Sri Dhiraj Gogoi, Assistant Jailer of Silchar Central Jail with Roll No. A420 was appointed in the year 2011. This was followed by his First Appeal Petition dated 20.04.2013 on the ground of non-receipt of any information from the SPIO of Home Department.

The Joint Secretary and SPIO, Home Department has submitted a written statement 29.02.2016 stating that the RTI Petition dated 11.02.2013 as well as the First Appeal Petition dated 20.04.2013 were transferred to the Inspector General of Prisons, Assam vide letters dated 21.02.2013 and 20.05.2013 respectively with copies to the Petitioner. The Petitioner's Second Appeal is dated 22.05.2013, whereas the First Appeal was transferred to Inspector General of Prisons, Assam on 20.05.2013. There is nothing on record to show that the First Appellate Authority, *i.e.* Inspector General of Prisons, Assam heard the First Appeal Petition and passed appropriate order. There is no further communication from the Petitioner also after his Second Appeal Petition dated 22.05.2013.

In view of the above, this Commission directs the SPIO in the office of the Inspector General of Prisons, Assam to allow the Petitioner Sri Dulal Bora to inspect the relevant records and documents during office hours on any working day and also allow him to take notes and copies of admissible non-third party documents, free of cost, upto 20 (twenty) copies and thereafter, on payment of Rs.2/- for every additional photocopy – within 15 days from the date of receipt of this order subject to at least 2 (two) days' advance notice from the Petitioner about his intention to inspect the documents.

With the above order, the Second Appeal Petition dated 22.05.2013 is disposed of.

Sd/-

(H.S. Das)

**Assam State Chief Information Commissioner,
Panjabari, Guwahati**

Authenticated true copy.

Sd/-

Registrar

Assam Information Commission

Copy to:

1. The SPIO, Office of the Home Department, Govt. of Assam, Dispur, Guwahati, Assam, Pin- 781006 for information and necessary action.
2. Sri Dulal Bora, Kainadhara Tiniali, House No. 118, Rajiv Gandhi Path, Khanapara, Guwahati, Dist- Kamrup(M), Assam, Pin- 781022 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission