



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

Case No. : **KP(M).401/2013**

Complainant/ appellant : **Sri Dulal Bora**

Respondent : **Personnel (A) Department**

Date of hearing : **19-02-2016**

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

**O R D E R**

The public authority is represented by Sri Ikramul.Hussain, ACS, Joint Secretary and SPIO of Personnel (A) Department accompanied by Sri N. Basanta , Junior Assistant.

The petitioner Sri Dulal Bora is absent. He has sent an application dated 10-2-2016 praying for re-fixation of the date of hearing as he has some personal problems. In view of large number of cases pending before this Commission, the second appeal petition dated 15-6-2013 is taken up for consideration ex-parte in the absence of the petitioner.

The SPIO and Joint Secretary of Personnel Department has made a written submission that the petitioner deposited an amount of Rs. 50/- on 3-6-2013 towards the cost of photo copying the required information and thereafter he was furnished the required information on the same day i.e., 13-6-2013. The second appeal petition dated 15-6-2013 of the petitioner is based on the ground that he was furnished the information only after submission of the first appeal petition.

In this regard the written submission dated 10<sup>th</sup> February, 2016 by the Secretary and first appellate authority of the Personnel (A) Department is perused. The first appellate authority has stated that the first appeal petition was filed on 9-5-2013 for non-receipt of information . It was received in the department on 14-5-2013. Meanwhile, on 3-6-2013 the petitioner was furnished with the sought for information. Therefore , the first appeal petition was not taken up for hearing. The FAA has also stated that in their letter dated 3-6-2013 furnishing the information, the applicant was advised that if he was not satisfied with the information, he has a right to appeal before the first appellate authority, whose name and designation was mentioned in the letter dated 3<sup>rd</sup> June, 2013. The First Appellate Authority has mentioned that after furnishing the information on 3-6-2013 they had not received any further appeal from the petitioner.

However, it is seen from the written submission dated 12-2-2016 of the Joint Secretary and SPIO that the RTI application dated 26-3-2013 of Sri Dulal Bora was received on 1-4-2013 and vide letter dated 30-4-2013 the applicant was requested to deposit an amount of Rs. 50/- towards the cost of photo copying the required information. He was furnished the information on the same date i.e., 3-6-2013. Therefore, there does not appear to be any lapse on the part of the public authority.

Hence the appeal petition is dismissed.

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

**Authenticated true copy.  
Sd/-  
Secretary & Registrar  
Assam Information Commission**

Copy to:

1. Sri Ikramul.Hussain, ACS, Joint Secretary and SPIO of Personnel (A) Department, Assam Secretariat, Dispur, Guwahati6 for information.
2. Sri Dulal Bora, Koinadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File.

**Secretary & Registrar  
Assam Information Commission**