



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

Case No. : KP(M).380 /2014

Complainant/ appellant : Shri Dulal Bora

Respondent : Personnel Department, Govt. of Assam

Date of hearing : 20.4.2016

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

O R D E R
20.4.2016

The petitioner Shri Dulal Bora is absent without any information. The Public Authority is represented by (1) Md. Ikramul Hussain, ACS, SPIO of Personnel (A) Department, Govt. of Assam, and (2) Shri N. Basanta, Jr. Administrative Assistant, Personnel (A) Department. In view of the large number of cases pending before this Commission the Second Appeal petition dtd 24.12.13 filed by the applicant Shri Dulal Bora with reference to his RTI petition dtd 7.8.13 is taken up for consideration on merit ex-parte in absence of the applicant/appellant.

The Secretary and First Appellate Authority of Personnel (A) Department has sent a written statement dtd 19.4.16 stating that in reply to the RTI petition dtd 7.8.13 of the petitioner, Shri Dulal Bora, required information was furnished vide Personnel Department's letter No. AAP.102/2013/28 dtd 22.10.13. The First Appellate Authority has also enclosed copies of information already furnished to the petitioner.

In his First Appeal petition dtd 21.9.13 the appellant's only ground was that till then he had not received the sought for information. In his written statement the First Appellate Authority has mentioned that the petitioner filed another appeal petition dtd 5.11.13 on the ground of non-satisfactory reply. His appeal was heard by the First appellate Authority on 6.12.13 and dismissed.

From perusal of the enclosures furnished by the First Appellate Authority with his written statement dtd 19.4.16, it is seen that the replies already furnished to the petitioner vide letter dtd 22.10.13 mentioned above, meets the requirement of

the RTI petition dtd 7.8.13 except on one point i.e. the grounds for suspension of Shri Naba Kanta Deka Baruah, ACS, which is not mentioned in the suspension order dtd 04.01.11.

This Commission observes that the above suspension order issued vide notification No. RLR.3/2011/5 dtd 04.01.11 suffers from an infirmity, in that it does not mention grounds for placing Shri Naba Kt. Deka Baruah, ACS under suspension.

This Commission, therefore, directs the SPIO of Personnel Department to ascertain the grounds for suspension of Shri Naba Kt. Deka Baruah, ACS and communicate the same to the appellant Shri Dulal Bora within 15 days from the date of receipt of this order.

With the above order, the Second Appeal petition dtd 24.12.13 is disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission
Memo No. SIC/ KP(M).380/2014/24-A

Dtd. 20.4.2016

Copy to:

1. The SPIO of Personnel (A) Department, Government of Assam, Dispur, Guwahati-6 for information.
2. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission