

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

Case No. : SIC/KP(M).134/2014
Appellant : Sri Dulal Bora
Respondent : The SPIO, O/o the Social Welfare Department, Govt. of Assam
Date of hearing : 20.05.2016
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
20.05.2016

The petitioner Sri Dulal Bora has informed that he will not be able to attend the hearing today as he has to go to court for a serious case and requested for fixing of another date.

The Public Authority is represented by Smt. Dipali Devi, Joint Secretary to the Govt. of Assam and SPIO, Social Welfare Department, Assam.

In view of large number of cases pending before the Commission, the matter is taken up for consideration *ex parte*.

The SPIO has submitted a written statement dated 19.05.2016 stating that the original RTI petition dated 24.07.2013 was transferred to Director, Social Welfare, Assam vide letter dated 05.09.2013. The petitioner preferred the First Appeal on 30.08.2013 and the First Appellate Authority (FAA) on 07.12.2013 passed an order that the petition was found to be transferred to the Director, Social Welfare under section 6 (3) of the RTI Act, 2005 and the process initiated accordingly. It is also stated in the written statement that whatever information was available in the Department, the same has been provided to the petitioner Sri Dulal Bora vide letter dated 17.05.2016.

On careful perusal of the RTI petition, it appears that the information furnished by the Joint Secretary to the Govt. of Assam and SPIO dated 17.05.2016 is incomplete. There is no evidence of the First Appellate Authority having disposed of the said First Appeal in accordance with the said Act. In view of the facts and circumstances stated above the Commission hereby directs the following-

1. The SPIO, office of the Social Welfare Department, Assam shall furnish the information as sought for by the petitioner within 21 days from the date of receipt of this order,
2. The First Appellate Authority, *i.e.* Commissioner & Secretary to the Govt. of Assam, Social Welfare Department shall consider and dispose of the First Appeal dated 30.08.2013 with a speaking order within 30 days from the date of receipt of this order.

With this direction, the Second Appeal petition dated 30.11.2013 is disposed of.

Sd/-
Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy
Sd/-
Deputy Registrar
Assam Information Commission
Memo No. SIC/KP(M).134/2014-20-A

Dtd. 20.05.2016

Copy to:

1. The SPIO, Office of the Social Welfare Department, Govt. of Assam, Dispur, Guwahati, Pin-781006 for information and necessary action.
2. The First Appellate Authority/Commissioner & Secretary to Govt. of Assam, Social Welfare Department, Dispur, Guwahati for information and necessary action.
3. The SPIO, Office of the Director of Social Welfare Department, Guwahati for information and necessary action.
4. Sri Dulal Bora, Kainadhara Tiniali, House no.118, Khanapara, Guwahati-781022 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar
Assam Information Commission