

ASSAM STATE INFORMATION COMMISSION**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : **KP(M).735/2016**
Complainant/ Appellant : **Sri Gobinda Sinha**
Respondent : **Director of Social Welfare, Assam.**
Date of Hearing : **12-4-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R
12-4-2017

The petitioner Sri Gobinda Sinha is represented by his authorized representative Sri Naba Kr. Sinha. The public authority is represented by :- Smti Rumjhum Goswami, Special Officer (Planning) office of the Directorate of Social Welfare, Govt. of Assam.

The second appeal petition dated 10-11-2016 is taken up for further hearing in pursuance of this Commission's earlier order dated 22-12-2016 and 9-3-2017.

As already noted in this Commission's order dated 22-12-2016 the sought for informations were not available with the Director of Social Welfare, Govt. of Assam as they were reportedly seized by the Vigilance and Anti Corruption Department of the Govt. of Assam. This Commission, therefore, directed the SPIO of the Directorate of Social Welfare, Govt. of Assam to collect the sought for information from the Vigilance and Anti Corruption Department and submit the information to the petitioner within 30 days from the date of receipt of the order. The same directions were reiterated vide order dated 9-3-2017.

The SPIO and Special Officer (Planning) of the Directorate of Social Welfare, Govt. of Assam submitted orally that in compliance with this Commission's order they wrote to the Directorate of Vigilance and Anti Corruption Department, Govt. of Assam. She produced before this Commission a copy of letter dated 3-4-2017 from the Superintendent of Police (Law), Vigilance and Anti Corruption, Govt. of Assam addressed to the Special Officer (Planning) and SPIO stating that the seized files and documents cannot be released in original without the order of the Hon'ble Court of Special Judge, Assam. The SPIO was asked to move the Hon'ble Court to obtain the release order. However, the S.P further mentioned that photocopies of the sought for documents can, however, be collected from their Directorate.

In pursuance of the letter dated 3-4-2017 of S.P (Vigilance), the SPIO and Special Officer (Planning) of the Directorate of Social Welfare has written on 10-4-2017 to all branches of the Directorate of Social Welfare to take necessary action as advised by the S.P (Law) of the Directorate of Vigilance and Anti Corruption.

From the above, it appears that the photocopies of the seized documents containing information as sought for by the petitioner can be obtained from the Directorate of Vigilance and Anti Corruption (Assam) by the Directorate of Social Welfare, Govt. of Assam.

This Commission, therefore, directs the Director of Social Welfare, Govt. of Assam to obtain photocopies of the relevant seized documents containing the informations sought for by the petitioner vide his RTI petition dated 8-7-2016 from the Directorate of Vigilance and Anti Corruption, Govt. of Assam, in pursuance of their letter No. DGVA/RI/2017/1170 dated 3-4-2017 and furnish the same to the petitioner within thirty days from the date of receipt of this order.

The SPIO and the petitioner both agreed before this Commission that the petitioner will personally contact the SPIO and she shall furnish the information by hand after taking acknowledgement or receipt. In this regard.

With the above order the second appeal petition dated 10-11-2016 is disposed of.

Furnish a copy of this order to the Directorate of Vigilance and Anti Corruption, Govt. of Assam for their information and necessary action.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M) / KP(M).735/2016/32 -A

Dated 12-4-2017

Copy to:

- 1) Director, Vigilance and Anti Corruption . Govt. of Assam, Srimantapur, Rupnagar, Guwahati-32 for information and necessary action.
- 2) Smti Rumjhum Goswami, Special Officer (Planning) office of the Directorate of Social Welfare, Govt. of Assam for information and necessary action, as ordered above.
- 3) The Superintendent of Police (Law), Vigilance and Anti Corruption, Assam, Srimantapur, Rupnagar, Guwahati-32 for information and necessary action.
- 4) Sri Gobinda Sinha, P.O-Narengi, Area-Kenduguri, Dist- Kamrup (Metro), Guwahati-26 for information.
- 5) Computer Section for uploading in the Website.
- 6) Office file.
- 7) Order Book.

Registrar

Assam Information Commission.