

**OFFICE OF THE
ASSAM 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).984/2017
Complainant/ Appellant : Sri Dulal Bora
Respondent : Home Department
Date of Hearing : 15-12-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

**O R D E R
15-12-2017**

1. The appellant/petitioner Sri Dulal Bora is present. The public authority is represented by Sri Mridul Kr. Mahanta, ACS, SPIO and Joint Secretary of Home Department accompanied by Sri R.P.D. Purkayastha, Sr. Administrative Assistant of Home (A) Department.
2. The second appeal petition dated 24-7-2017 read with the petitioner's RTI petition dated 9-8-2016 is taken up for hearing in presence of both the parties.
3. On perusal of the case records it is seen that the petitioner filed his RTI petition before the SPIO of the Chief Secretary to the Govt. of Assam, seeking the following informations:-
 - (i) **File No. from which inquiry, if any, was ordered in pursuance of his earlier prayer dated 9-7-2015 before the Chief Secretary to the Govt. of Assam, along with the name of the Inquiry Officer and his present designation.**
 - (ii) **Names and addresses of the persons against whom allegations were made in his prayer dated 9-7-2015;**
 - (iii) **Copy of the report of inquiry, if any such report was submitted to concerned higher authorities**
4. Not getting any response to this RTI petition dated 9-8-2016 and subsequent first appeal petition dated 16-5-2017 the petitioner filed his second appeal petition before this Commission.
5. From perusal of the case records it is seen that the SPIO of the office of Chief Secretary to the Govt. of Assam transferred the RTI petition to the SPIO and Joint Secretary of Home Department, Govt. of Assam vide letter dated 24-8-2016. The SPIO and Joint Secretary of Home Department submitted orally that the Home Department received the transferred complaint petition along with the original petition dated 9-7-2015 on 24-8-2016.

6. Thereafter the RTI petition along with the original petition was transferred by Home Department, Govt. of Assam by a communication dated 24-2-2017 to the SPIOs of the Offices of (i) ADGP (SB), (ii) ADGP (CID) and (iii) DGP, Assam, with a copy to the petitioner Sri Dulal Bora. The SPIO of Home Department begged apology for the delay in transferring the RTI petition.. He further submitted that the office copy of their letter is unsigned.. By the letter dated 24-2-2017 he requested the SPIOs of (i) ADGP (SB), (ii) ADGP (CID) and (iii) DGP, Assam, to furnish the required information directly to the petitioner. The petitioner submitted that he is yet to receive any response from any of the above three transferee SPIOs' till date.
7. In view of the above, the SPIOs' of the offices of ADGP (SB), ADGP, CID and DGP, Assam is directed to furnish the sought for informations to the petitioner as related to them within 30 days from the date of receipt of this order with intimation to this Commission. As their controlling department, the Home Department is also directed through their SPIO, who is present today, to issue necessary instructions to the above 3 SPIOs to furnish the sought for informations that may be admissible to the petitioner, as ordered above.
8. The SPIO of Home Department is further directed to send copies of the RTI petition and the original complaint petition dated 9-7-2015 to all the above mentioned 3 SPIOs' for their ready reference and necessary action.
9. Fix **12.30 P.M, 12-2-2018** for review of compliance.

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

Authenticated true copy

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No SIC/ KP(M). 984/2017

A

Dated 15-12-2017

Copy to:-

- 1) Sri Mridul Kr. Mahanta, ACS, SPIO and Joint Secretary of Home Department for information and necessary action as ordered above.
- 2) SPIO of DGP, Assam, Ulubari, Guwahati-7 for information and necessary action, as ordered above.
- 3) SPIO of ADGP (SB), Govt. of Assam, Kahilipara, Guwahati-19 for information and necessary action, as ordered above.
- 4) SPIO of ADGP (CID), Assam, Ulubari, Guwahati-7 for information and necessary action as ordered above.
- 5) Sri Dulal Bora, Koinadhara Tiniali, House No-118, Khanapara, Guwahati-22 for information.
- 6) Computer Section for uploading in the Website.
- 7) Office file.
- 8) Order Book.

Registrar
Assam Information Commission.