

**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).990/2017
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 (1) 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 and (2) Sri H. K. Dev Mahanta, Secretary, State Police Accountability Commission. (SPAC)
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 3-7-2015 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 3-7-2015;**
 - (iii) **Copy of the report of inquiry, if 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 RTI petition along with the original petition dated 3-7-2015 on 30-8-2016.

6. Thereafter, as submitted by the SPIO of Home Department, the RTI petition and its associated papers appears to have been mishandled in the Department inadvertently. As a result the petitioner is yet to receive any information in response to his RTI petition dated 9-8-2016.

7. In view of the above, the SPIO of Home Department is directed to collect the required informations , as admissible, from the concerned agencies under the administrative control of Home Department and furnish the admissible information to the petitioner within 30 days from the date of receipt of this order.

8. Fix **2.00 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). 990/2017

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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) Sri Dulal Bora, Koinadhara Tiniali, House No-118, Khanapara, Guwahati-22 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar

Assam Information Commission.