



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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**Case No.** : KP(M)1323/2017  
**Complainant/ Appellant** : Sri Dual Bora  
**Respondent** : C. M's Secretariat  
**Date of Hearing** : 21.02.2018  
**Complaint/ Second appeal heard by** : Shri H. S. Das, IAS (Retd)  
State Chief Information Commissioner, Assam

**O R D E R**  
**21.02.2018**

1. The petitioner Sri Dulal Bora is present. The public authority is represented by Niranjana Bora, Under Secretary and SPIO of Assam Chief Minister's Secretariat, accompanied by Sri Prabal Jyoti Medhi, Sr. Administrative Assistant of C.M's Secretariat.

2. The second appeal petition dated 27-6-2017 is taken up for hearing in presence of both the parties.

3. From perusal of the case records, it is seen that the petitioner filed a complaint petition dated 21-3-2016 before the Additional Chief Secretary in the office of the Chief Minister, Assam complaining about transfer of Govt. land to a private institution, namely, Sri Sankaradeva Nethralaya (Eye Hospital)

4. Thereafter he filed an RTI petition dated 17-8-2016 before the SPIO of Chief Minister's Secretariat seeking the following informations :-

- (a) The number of the file from which inquiry was ordered into the allegations mentioned in his complaint petition dated 13-2-2016 and name of the Inquiry Officer with his designation ;
- (b) names and addresses of the persons mentioned in the complaint petition dated 13-2--2016, and
- (c) photo copy of inquiring report submitted by the Inquiry Officer to his higher authorities.

5. The SPIO of C.M's Secretariat has submitted a written statement stating that the RTI petition from Sri Dulal Bora was received in the C. M's Secretariat on 26-8-2016. Thereafter information was provided to the petitioner vide this office letter No. CMS.7/2016(RTI)/Pt.VII/667 dated 20-10-2016. Perusal of the letter dated 20-10-2016 from the Chief Minister's office, however, reveals that the informations sought for by the petitioner Sri Dulal Bora were not furnished to him. He was only informed that due to a large number of first appeal petitions filed

by him it is not possible to dispose them of within the stipulated time and that they will be heard in due course.

6. The above position taken by the C.M Secretariat does not appear to be in conformity with the relevant provisions of the RTI Act, 2005 , which has stipulated clear guidelines for disposal of RTI and first appeal petitions under Section-7 and Section 19 of the RTI Act, 2005.. In any case the informations sought for by the petitioner appears to be very simple. The SPIO of C.M's Secretariat is directed to furnish the sought for informations to the petitioner against point No. (a) and (c) within 15 days from the date of receipt of his order.

7. With the above order, the second appeal petition dated 27-6-2017 is disposed of..

**(H. S. Das)**  
**State Chief Information Commissioner,**  
**Assam**

**Authenticated true copy**

**Registrar**  
**Assam Information Commission**

**Memo No SIC/ KP(M)1323/2017.      A**

**Dated 21.02.2018**

Copy to:-

- 1) Sri Niranjana Bora, Under Secretary and SPIO of Assam Chief Minister's Secretariat, Dispur, Guwahati-6 for information and necessary action.
- 2) Sri Dulal Bora, Koinadhara Tiniali, House No-118, Khanapara, Guwahati-22 for information and necessary action
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar**  
**Assam Information Commission.**