



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

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Case No.	:KP(M)1139/2017
Complainant/ Appellant	Sri Dulal Bora
Respondent	Chief Minister's office.
Date of Hearing	05.03.2018
Complaint/ Second appeal heard by	Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam

O R D E R
05.03.2018

1. The public authority represented by Sri Niranjana Bora, Under Secretary and SPIO of Chief Minister, Assam Secretariat is present. He is accompanied by Sri Prabal Jyoti Medhi, Sr. Administrative Assistant in the said Secretariat.

2. The petitioner Sri Dulal Bora is absent. He has sent an e-mail dated today dated 5th March, 2018 requesting for postponement of the date of hearing.

3. The SPIO and Under Secretary of C.M's Secretariat has submitted a written statement dated 3rd March, 2018 stating that the original complaint petition dated 13-2-2016 submitted by the petitioner Sri Dulal Bora was transferred to the SPIO of Social Welfare Department vide CMO's letter dated 2-8-2017, since the subject matter of the RTI petition relates to Social Welfare Department., copy of which was also given to the petitioner Sri Dulal Bora. But even after that the petitioner filed an RTI petition dated 17-8-2016 before the SPIO of Chief Minister's Office and the first appeal petition dated 22-5-2017 much after the lapse of the time period prescribed under the RTI Act. The SPIO of C.M's Secretariat has also mentioned in his W/S that the RTI petition dated 17-8-2016 was forwarded much after the stipulated time period to the concerned Department who holds the information, namely the Social Welfare Department vide letter dated February 18, 2016.. The SPIO has enclosed copies of the forwarding letters and transfer letter dated 2nd August, 2017 as mentioned above with his written statement

4. It is also seen from the W/S of the SPIO of C.M's office and its enclosures that the original complaint petition dated 13-2-2016 of the petitioner was already forwarded to the Social Welfare Department vide U/O No. CMO.04/2016/511 dated 18-2-2016.

5. The SPIO of Social Welfare Department is directed to inform the petitioner within 30 days from the date of receipt of this order :-

- (a) Whether any inquiry has been ordered or any action has been taken on the petitioner's original complaint petition dated 13-2-2016 and if so the number of the file from which inquiry has been ordered/ action has been taken, the name of the Inquiry Officer and his present designation.
- (b) Copy of the Inquiry report or narration of the action taken on the complaint petition.

6. Furnishing the names of the persons complained against vide complaint petition dated 17-8-2016 is found to be redundant as they are mentioned by the petitioner himself in his complaint petition.

In view of the above order, re-fixation of the date of hearing, as prayed for by the petitioner, does not appear to be necessary and the second appeal petition dated 27-6-2017 is disposed of.

This is without prejudice to the petitioner's liberty to approach this Commission if he does not get any response from the SPIO of Social Welfare Department within the stipulated time.

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

Authenticated true copy
Sd/-
Registrar
Assam Information Commission

Memo No SIC/ KP(M).1139/2017/ A

Dated 05.03.2018

Copy to:-

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

Registrar
Assam Information Commission.