



OFFICE OF THE

ASSAM INFORMATION COMMISSION

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Case No. :KP(M).70/2018
Complainant/ Appellant Sri Dulal Bora
Respondent Home Department.
Date of Hearing :26.03.2018
Complaint/ Second Shri H. S. Das, IAS (Retd)
appeal heard by :State Chief Information Commissioner, Assam

O R D E R
26.03.2018

1. The appellant Sri Dulal Bora is absent. However, he has sent an e-mail praying for deferment of the date of hearing due to a bereavement in the family.
2. The public authority is represented by Sri Naren Ch. Basumatary, ACS SPIO and Joint Secretary, to the Government of Assam, Home and Political Department., Dispur, Guwahati-6. The SPIO of Chief Secretary's office is absent but she has sent a written statement dated 20th March, 2016 stating that the petitioner's RTI petition dated 30-7-2016 was sent to the SPIO of Home Department vide letter dated 5-8-2016 for taking necessary action. Thereafter the first appeal petition dated 16-5-2017 was also transferred to the Additional Chief Secretary of Home Department vide letter dated 26-5-2017. The SPIO of the office of Chief Secretary was, however, silent about what action was taken on the original complaint petition dated 14-12-2015 submitted by the complainant Sri Dulal Bora before the Chief Secretary to the Government of Assam which generated the RTI petition dated 30-7-2016 and subsequent first appeal petition dated 16-5-2017 and second appeal petition dated 4-7-2017.
3. From perusal of the case records it is seen that the petitioner Sri Dulal Bora vide his RTI petition dated 30-7-2016 sought the following informations :
 - (a) The number of the file from which inquiry was ordered into the allegations mentioned in his complaint petition dated 14-12-2015 and name of the Inquiry Officer with his designation ;
 - (b) names and addresses of the persons mentioned in the complaint petition dated 14-12-2015, and
 - (c) photo copy of inquiry report submitted by the Inquiry Officer to his higher authorities.

5, Since the names of the persons against whom allegations have been levelled by the petitioner are already mentioned in the complaint petition dated 14-12-2015, therefore, point No.3 (b) above, appears to be redundant. Hence point No. 3(a) and (c) only are taken up for consideration.

6. The SPIO and Joint Secretary of Home and Political Department submitted a written statement today dated 26-3-2018, giving the sequence of the actions taken on the RTI petition dated 30-7-2016 submitted by Sri Dulal Bora.

7. It appears from the written statement that the Home Department transferred the RTI petition to the SPIO of DGP, Assam, vide letter dated 31-10-2016, who in turn transferred to the SPIO of the office of Commissioner of Police vide letter dated 29-11-2016. It is also mentioned in the W/S that the SPIO of the office of Commissioner of Police, Guwahati furnished the information to the petitioner vide letter Memo No.ECP/RTI/858-16/1753-A dated 20-12-2016. However, copy of this letter Memo was not enclosed with the W/S. So it could not be ascertained by this Commission whether information furnished is sufficient and responsive to the RTI petition dated 30-7-2016.

8. In view of the above and taking into account the prayer of the petition for adjournment of the date of hearing, fix 18-4-2018, 12.30 P.M for *hearing the appellant and SPIO of the office of Commissioner of Police, Guwahati.*

9. *Issue notices to them accordingly.* Further appearance of SPIO of Home and Political Department is dispensed with.

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

Authenticated true copy
Sd/-
Registrar
Assam Information Commission

Copy to:-

- 1) SPIO of the office of Chief Secretary, Assam, Dispur, Guwahati-6 for information.
- 2) SPIO of DGP, Assam,, Ulubari, Guwahati-7 for information and necessary action.
- 3) SPIO of Commissioner of Police, Assam, Panbazar, Guwahati-1 for information and necessary action.
- 4) Sri Naren Ch. Basumatary, ACS, Joint Secretary and SPIO, Home & Political Department, Dispur, Guwahati-6 for information.
- 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.