

Case No. :KP(M)1191/2017
Complainant/ Appellant Sri Dulal Bora
Respondent :Chief Minister's office
Date of Hearing :05.03.2018
Complaint/ Second :Shri H. S. Das, IAS (Retd)
appeal heard by :State Chief Information Commissioner, Assam

O R D E R
05.03.2018

1. The public authority represented by Sri Niranjan 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 the 5th March, 2018 requesting for postponement of the date of hearing.
3. The SPIO and Under Secretary of Chief Minister's Secretariat has submitted a written statement dated 3rd March, 2018 stating that the petitioner's RTI petition dated 17-8-2016 was transferred to the SPIO of Social Welfare Department vide CMO's letter dated 4th August, 2017, since the subject matter of the RTI petition relates to Social Welfare Department. Vide another communication dated 5-3-2018 the SPIO also submitted that the original complaint petition dated 13-2-2016 filed by the petitioner and addressed to the Additional Chief Secretary in Chief Minister's office, which is the basis of the RTI petition dated 17-8-2016., was already forwarded to the Social WelfareDepartment vide U/O No. 04/2016/495 dated 18-2-2016.
4. It is also seen that while the SPIO of Chief Minister's Sectt. transferred the RTI petition much after the lapse of the time period specified in the RTI Act, 2005, the petitioner also filed his first appeal petition much after the lapse of the stipulated time period.
6. In view of the above, 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 status of the action taken on the complaint petition ;

6. Furnishing the names of the persons complained against vide complaint petition dated 13-2--2016 is found to be redundant as they are already mentioned by the petitioner himself in his complaint petition.

7. 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.

8. 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)1191/2017.

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Dated 05.03.2018

Copy to:-

- 1) Sri Niranjan Bora, Under Secretary and SPIO, Chief Minister, Assam Secretariat, Dispur, Guwahati-6 for information and necessary action.
- 2) SPIO of the office of Social Welfare Department, ,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.**