



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M).193/2018
Complainant/ Appellant : Shri Dulal Bora
Respondent : Personnel and Secretariat Administration Departments,
Govt. of Assam, Guwahati-6
Date of hearing : 8.5.2018
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

8.5.18

The petitioner Shri Dulal Bora is present. The public authority is represented by Shri Prasanta Borkakati, ACS, Deputy Secretary and SPIO of Personnel Department, Govt. of Assam accompanied by Shri Ankur Sarma, Sr. Administrative Assistant of the department. The second appeal petition dated 24.7.17 is taken up for hearing in presence of both the parties.

The gist of the case is that the petitioner filed a complaint petition dated 1.7.16 regarding officers and ministerial staff falling under the jurisdictions of Personnel Department and Secretariat Administration (E) Department continuing to work beyond the normal tenure of three years with particular ministers and in particular departments. By his complaint petition the petitioner prayed for the transfer of all such employees. The complaint petition was followed up by an RTI petition dated 30.7.16 as well as a first appeal petition dated 16.5.17 and a second appeal petition dated 24.7.17. The SPIO of the office of the Chief Secretary has submitted a written statement dated 2nd May, 2018 stating that the RTI petition as well as the first appeal petition mentioned above were transferred to the Personnel Department.

The SPIO and Deputy Secretary of personnel Department has also submitted a separate written statement dated 7th May, 2018 stating that the sought for informations were furnished to the petitioner. However, the petitioner stated that he has not received any information from the Personnel Department. The SPIO of personnel Department also submitted orally that all such employees under the Personnel Department have since been transferred out.

In view of the above, this Commission passes the following orders:-

- (a) The SPIO of Personnel Department is directed to transfer the RTI petition dated 30.7.16 to the SPIO of Secretariat Administration (E) Department within seven (7) days from the date of this order, which was pronounced in his presence.**
- (b) The SPIO of Secretariat Administration (E) Department is directed to furnish the informations to the petitioner within 30 days from the date of receipt of the transferred RTI petition.**
- (c) The SPIO of Personnel Department is directed to furnish a statement of officers under Personnel Department's jurisdiction who have since been**

transferred out with reference to the complaint petition and the RTI petition mentioned above.

With the above orders the second appeal petition dated 24.7.17 is disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).193/2018/

Dated. 8.5.2018

Copy to:

1. The Deputy Secretary & SPIO of Personnel Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. The SPIO of Secretariat Administration (E) Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
3. Shri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission