



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

Case No. : KP(M).450 /2018
Complainant/ appellant : Shri Dulal Bora
Respondent : SPIO of Home Department, Govt. of Assam
Date of hearing : 9.10.2018
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
9.10.2018

1. The petitioner Shri Dulal Bora is absent. He has sent an e-mail praying for re-fixation of the date of hearing as he is unable to attend due to some problems. The public authority is represented by Shri N.C. Basumatary, Joint Secretary and SPIO of Home & Political Department. The SPIO of Home and Political Department has submitted a written statement dated 9.10.2018 giving in brief the present position of the petitioner's RTI petition dated 25.9.2017.

2. From perusal of the case records it is seen that the petitioner filed a complaint petition vide his letter No. DB.974/6/17 dated 13.6.2017 before the Addl. Chief Secretary to the Govt. of Assam, Home Department alleging that the Managing Director of Assam State Transport Corporation, Shri Anand Prakash Tiwari, IPS prepares transfer list of police officers in his office without the knowledge of the then Director General of Police. The petitioner vide his complaint petition requested Addl. Chief Secretary, Home Department to cause an inquiry into the matter and take action against the accused. The petitioner followed up the complaint petition by his RTI petition dated 25.9.2017 addressed to the SPIO of Home Department. Vide his RTI petition he sought the following informations:

- (a) the file No. from which inquiry was ordered, the name of the Inquiring Officer and present posting of the Inquiring Officer,
- (b) names and addresses of the accused persons, and
- (c) copy of the Inquiry report.

3. This Commission notes that information with regard to point No. 2(b), i.e., the names and address of the allegedly accused persons have been mentioned by the petitioner himself in his original petition dated 13-6-2017. Therefore, this part of the RTI petition appears to be redundant.

4. It has been observed from the complaint petition that the petitioner Shri Dulal Bora did not specify in his complaint petition dated 13.6.2017 whether he is complaining about transfer and posting of police officers in the gazette ranks or non-gazetted ranks. In case of the former, the Government is the transferring authority and in case of the later the DGP.

5. The SPIO of Home Department mentioned in his WS dated 21.9.2018 that Shri Dulal Bora's complaint petition has been transferred to DGP with information to the petitioner Shri Dulal Bora.

6. In view of the above, the petitioner Shri Dulal Bora is directed to inform the SPIO of Home Department within seven days from the date of receipt of this order whether his complaint petition dated 13.6.2017 related to gazette policed officers or non-gazetted police officers. The SPIO of Home Department is also directed to furnish the sought for informations from his end, within 30 days from the date of receipt of

information from the petitioner or transfer the RTI petition to the DGP within 5 days from the date of receipt of this order with direction to the SPIO of DGP's office to furnish the sought for informations within 30 days thereafter.

With the above directions the second appeal petition dated 14.5.2018 is disposed of ex-parte in the absence of the petition

Sd/-

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

Authenticated true copy.

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/ KP(M).450/2018/

Dtd. 9.10.2018

Copy to: 1. The SPIO of Home & Political Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book

Joint Registrar
Assam Information Commission