

Case No. : SIC/KP(M) 22/2018  
Appellant : Shri Dulal Bora  
Respondent : The SPIO, O/o the C.M. Secretariat, Govt. of Assam, Dispur,  
Guwahati -6  
Date of hearing : 02-05-2018  
Second Appeal heard by : Nilufer Alam Hazarika, IAS(Retd.)  
State Information Commissioner, Assam

**O R D E R****02-05-2018**

The Petitioner Sri Dulal Bora has informed that he will not be able to attend the hearing today due to his illness. The public authority is represented by Sri Niranjan Bora, Under Secretary & SPIO, C.M.'s Secretariat assisted by Sri Prabal Jyoti Medhi, Sr. A.A., C.M.'s Secretariat.

The 2<sup>nd</sup> Appeal petition dt. 3-7-2017 is taken up for consideration exparte in the absence of the petitioner. The SPIO, C.M. Secretariat has informed the Commission vide letter dt. 2<sup>nd</sup> May, 2018 that the R.T.I. petition filed by Sri Dulal Bora was received on 19-8-2016 seeking for information on the complaint petition dt. 24-5-2016. The said complaint petition was forwarded to the Secretary to the Govt. of Assam, Transport Department vide letter dt. 25-5-2016. The RTI petition dt. 13-8-2016 has been forwarded to the SPIO, Transport Department, Assam vide letter dt. 19-4-2018 with copy to the petitioner. The SPIO also submitted orally that 445 nos. of RTI petitions were submitted by the petitioner Sri Dulal Bora in the month of August, 2016. Since the RTI petitions received were extraordinarily huge in number, Sri Dulal Bora was informed vide letter dt. 19-9-2016 that information sought for by him, vide his RTI petitions would be provided to him in due course, depending on availability of resources.

On perusal of record, the Commission observes that the petitioner had filed his 2<sup>nd</sup> Appeal dt. 3-7-2017 due to non-receipt of any response to his RTI petition dt. 13-8-2016 and the 1<sup>st</sup> Appeal petition on 22-5-2017. There is nothing on record to show that the 1<sup>st</sup> Appeal petition was heard and responded to, or it was rejected or not admitted on the ground of being time barred. No action seems to have been taken on the 1<sup>st</sup> Appeal petition. Therefore the 2<sup>nd</sup> Appeal petition which was submitted within the time period stipulated U/S. 19(3) of the RTI Act, 2005 is admitted and taken up for consideration.

The RTI petition has been transferred to SPIO, Transport Department by the SPIO, C.M. Secretariat. The Commission directs the SPIO, Transport Department to furnish the information sought for by the petitioner within 30 days from the date of receipt of this order. If for any reason the public authority is unable to comply with the order, he will make a written submission to this effect, stating reasons thereof, before the Commission within 20 days from the date of receipt of this order.

With the above direction the 2<sup>nd</sup> Appeal petition dt. 3-7-2017 is disposed of.

Sd/-

( Nilufer Alam Hazarika, IAS(Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy  
Sd/-  
Joint Registrar  
Assam State Information Commission

**Memo No. SIC/KP (M) 22/2018**

**Dtd. 02-05-2018**

**Copy to:**

1. The SPIO, Office of the Chief Minister's Secretariat, Govt. of Assam, Dispur, Guwahati-6, Assam for information and necessary action.
2. The First Appellate Authority/ Office of the Chief Minister's Secretariat, Govt. of Assam, Dispur, Guwahati-6, Assam for information and necessary action.
3. The Petitioner Shri Dulal Bora, Kainadhara Tiniali, H/No. 118, Khanapara, Dist. Kamrup (M), Guwahati - 22, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam State Information Commission