



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

Case No. : KP(M).840 /2017
Complainant/ appellant : Shri Dulal Bora
Respondent : SPIO of Secondary Education 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 dated 9.10.2018 requesting for deferment of the date of hearing because of his personal problem. The public authority i.e. the Department of Secondary Education, Govt. of Assam is represented by Shri Padma Kanta Sarma, SPIO and Under Secretary of Secondary Education Assam accompanied by Shri Bhagwan Ch. Das, Sr. AA of the Department.

2. The SPIO has submitted a written statement dated 5.10.2018 enclosing, inter alia, a copy of order dated 11.10.2017 pass by the Joint Secretary and first appellate authority of Secondary Education Department, Govt. of Assam.

3. From perusal of the case records it is seen that the petitioner filed a complaint petition dated 19.3.2016 before the Chief Secretary to the Govt. of Assam against one Shri Prabin Bora, Lecturer in Sarvodaya Junior College, Jorhat and requested for taking action against the lecturer. The complaint petition was followed up by an RTI petition dated 9.8.2016 seeking the following information:-

(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.

4. This Commission notes that information with regard to point No. 3(b), i.e., the names and address of the allegedly accused persons have been mentioned by the petitioner himself in his original petition dated 19-3-2016. Therefore, this part of the RTI petition appears to be redundant.

5. It is seen from the first appellate authority's order dated 11.10.2017 that the petitioner's complaint petition dated 19.3.2016 was processed in file, but no inquiry was ordered by the Government. This being the status of the action taken

on the complaint petition, this should have been communicated to the petitioner by the concerned SPIO, which does not appear to have done.

6. The SPIO of Secondary Education Department is, therefore, directed to furnish a copy of the first appellate authority's order dated 11.10.2017 to the petitioner within 7 days from the date of this order, which was pronounced in presence of the SPIO.

With the above order, the second appeal petition dated 24.7.2017 is disposed of ex-parte in the absence of the petitioner.

Sd/-

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

Authenticated true copy.

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/ KP(M).840/2017/

Dtd. 9.10.2018

Copy to: 1. The Joint Secretary and SPIO of Secondary Education, 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