

**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No.	:No.KP(M)541/2018
Complainant/ Appellant	Sri Dulal Bora
Respondent	:Home Department, Govt. of Assam
Date of Hearing	:14-09-2018
Complaint/ Second appeal heard by	:Shri H. S. Das, IAS (Retd) :State Chief Information Commissioner, Assam

O R D E R
14-09-2018

1. The petitioner Sri Dulal Bora is present. The public authority to be represented by the SPIO of Home Department is absent without any information
2. The second appeal petition dated 14-5-2018 is, therefore, taken up for consideration ex-parte in the absence of the respondent.
3. From perusal of the case records it is seen that the petitioner filed a complaint petition dated 10-4-2017 addressed to the Additional Chief Secretary of Home Department requesting him to cause a Vigilance inquiry against Sri Tilak Nath who was Private Secretary to the then Social Welfare Minister, Sri Akon Bora. The complaint petition was followed by an RTI petition dated 25-9-2017 and subsequent first appeal petition dated 14-2-2018 and the instant second appeal petition dated 14-5-2018.
4. The petitioner submitted that he has not got any response from the Home Department on his RTI petition and first appeal petition.
5. By his RTI petition dated 25-9-2017 the petitioner sought the following informations:-
 - (a) The number of the file from which inquiry was ordered into the allegations mentioned in his complaint petition dated 10-4-2017 and name of the Inquiry Officer with his designation,
 - (b) names and addresses of the persons mentioned in the complaint petition dated 10-4-2017, and
 - (c) photo copy of the inquiry report submitted by the Inquiry Officer to his higher authorities.

Since the name of the accused persons are already mentioned in the complaint petition, furnishing of information against point No. 5(b) is not considered necessary.

6. It is apparent from the original complaint petition dated 10.4.2017 that the subject matter of the instant second appeal case is request for a vigilance inquiry. Therefore, Political (Vigilance Cell) Department should be the appropriate public authority in the instant case. The SPIO of Home Department is, therefore, directed to transfer the RTI petition to the SPIO of Political (Vigilance Cell) Department within 5 days from the date of receipt of this order. The SPIO of Political (Vigilance Cell) Department is also hereby directed to furnish the sought for informations against paragraph 5(a) and 5(c) above to the petitioner within 30 days of receipt of the transferred RTI petition.

With the above order, the second appeal petition dated 14.5.2018 is disposed of.

Sd/-

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

Authenticated true copy.

Sd/-
Joint Registrar
Assam Information Commission.

Memo No. SIC/ KP(M). 541/2017/

-A

Dated 14-09-2018

Copy to :-

1. The SPIO of Home Department, Dispur, Guwahati-6 for information and necessary action.
2. SPIO of Political Department, Dispur, Guwahati-6 for information and necessary action as ordered above.
3. Sri Dulal Bora, Koinadhara Tiniali, House No.-118, Khanapara, Guwahati-22 for information.
4. Computer Section for uploading in the Website.
5. Office file.
6. Order Book.

Joint Registrar
Assam Information Commission