

Case No.	:No.KP(M).542/2018
Complainant/ Appellant	Sri Dulal Bora
Respondent	:Home Department
Date of Hearing	:20-09-2018
Complaint/ Second	:Shri H. S. Das, IAS (Retd)
appeal heard by	:State Chief Information Commissioner, Assam

O R D E R
20-09-2018

1. The appellant / petitioner Sri Dulal Bora is present. The public authority i.e. the Home Department is represented by Joint Secretary and SPIO Sri Naren Ch. Basumatary, ACS, Govt. of Assam, Dispur, Guwahati-6.
2. The second appeal petition dated 14-5-2018 is taken up for hearing in presence of both the parties.
3. From perusal of the case records it is seen that the petitioner Sri Dulal Bora filed a complaint petition dated 10-4-2017 before the Additional Chief Secretary, Govt. of Assam, Home Department, leveling corruption charges against the then Private Secretary to the Commissioner and Secretary of Social Welfare Department. This was followed up by an RTI petition dated 25-9-2017 and subsequent first appeal petition dated 14-2-2018 seeking 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 original complaint petition , furnishing of further informations against point No. 3(b) is not considered necessary. Therefore only point No. 3(a) and 3(c) above are taken up for consideration.
4. The RTI petition was followed up by a first appeal petition dated 14-2-2018 and the instant second appeal petition dated 14-5-2018.
5. From the case records and oral submissions of the petitioner in presence of the SPIO of Home Department it appears that no informations have been furnished to him till date.

6. The SPIO of Home Department furnished a copy of letter dated 17th September, 2018 addressed to the SPIO of the office of Director General of Police (DGP), Assam requesting him to take necessary actions on this Commission's notice dated 27th August, 2018 and on its enclosures.
7. This Commission is of the view that the subject matter of the original complaint petition dated 10-4-2017 filed by the petitioner contains allegation of corruption and therefore, relates to the Director of Vigilance and Anti Corruption, Govt. of Assam.
8. The SPIO and Joint Secretary of Home Department is, therefore, directed to transfer the RTI petition dated 25-9-2017 along with the original complaint petition No. 929/6/17 dated 10-4-2017 of Sri Dulal Bora within 5 (five days from the date of this order which was pronounced in presence of the SPIO and Joint Secretary of Home Department.
9. The SPIO of Vigilance and Anti Corruption is directed to furnish the sought for informations in respect of para-3(a) and 3(c) above in compliance with the relevant provisions of the RTI Act, 2005 or provide an appropriate response to him within 30 (thirty) days from the date of receipt of this order.

Sd/-

(H. S. Das)

**Chief Information Commissioner, Assam,
Panjabari, Guwahati**

Authenticated true copy.

Sd/-

Registrar I/c

Assam Information Commission.

Memo No. SIC/ KP(M) 542/2018/ .

Dated 20-09-2018

Copy to :-

1. Sri Naren Ch. Basumatary, ACS, Govt. of Assam, Dispur, Guwahati-6. for information and necessary action.
2. SPIO of the Office of Vigilance and Anti Corruption ,Govt. of Assam, Rupnagar, Guwahati, 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