



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

Case No. : KP(M).1065 /2018  
Complainant/ appellant : Shri Utpal Das  
Respondent : SPIOs of Home and Political Departments, Govt. of Assam  
Date of hearing : 15.02.2019  
Complaint/ Second : Shri H.S. Das, IAS ( Retd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**  
15.02.2019

1. The appellant/petitioner Shri Utpal Das is absent. However, he has sent an e-mail communication dated 15<sup>th</sup> February, 2019 stating that he is unable to attend today's hearing. He requested for condonation of his absence and passing of appropriate orders ex-parte.
2. The public authority, i.e. the Political Department is represented by the Joint Secretary and SPIO Shri Biman Dutta accompanied by Shri Ramesh Medhi, Under Secretary and SPIO of Home Department. The Under Secretary and SPIO of Home (A) Department submitted a WS dated 15.2.2019 stating that the RTI petition dated 20.1.2018 was received in the Department on 11.2.2019 and was transferred to the SPIO of Political (VC) Department vide letter dated 11.2.2019. Thereafter no information has been received from the Political (VC) Department. The SPIO of Political (VC) Department was also requested by the Home Department to remain present at the time of today's hearing.
3. The SPIO and Joint Secretary of Political Department also submitted a WS dated 14.2.2019, which is entered into the case records. It has been stated in the WS that the RTI petition No. 796 dated 20.1.2018 of Shri Utpal Das was submitted before the SPIO of Chief Minister's Office (CMO). A copy of letter dated 3<sup>rd</sup> February, 2018 from the SPIO of CMO to the petitioner Shri Utpal Das has also been enclosed with the WS. By that letter CMO informed the petitioner that the petitioner's letters mentioned at point no. 1, 2 and 3 of his RTI petition were transferred to the concerned Departments for necessary action. The petitioner was therefore, advised to submit separate applications to each of the public authorities for obtaining the required informations from them. As regards point no. 4 of the RTI petition, the CMO advised the petitioner that there is no record of his application submitted before the ADGP(M&L) in the month of July, 2017 in the computer record of CMO Dak Section.
- 4, The SPIO of Political Department has also mentioned that the RTI petition dated 20.1.2018 has not been received in the Department. However, after receiving this Commission's notice dated 28.1.2019, the SPIO forwarded copy of the notice to:- (a) Deputy Secretary, Political (A) Department, (b) Addl. Secretary, Political (VC)

Department, (c) Under Secretary and SPIO of Home Department and (d) Under Secretary and SPIO of Co-operation Department, with a request to furnish the present status on the allegations of Shri Utpal Das, seeking their assistance u/s 5(4) of the RTI Act, 2005 to furnish the sought for informations to the petitioner vide letters dated 7.2.2019. The SPIO of Political Department submitted orally that point no. 1 of the RTI petition relates to Political (VC) Department, point no. 2, i.e. providing personal security to Shri Utpal Das belongs to Political (A) Department and point no. 3 relates to Co-operation Department. He also submitted copy of letter dated 20<sup>th</sup> December, 2017 from Political (VC) Department to :- (i) Revenue & Disaster Management Department, (ii) Commissioner of Police, Guwahati and (iii) Deputy Commissioner Kamrup (M) district, Guwahati requesting them to look into the matter and take necessary action as per law.

5.(i) From the above, it appears that the present status in respect of point no. 1 of the RTI petition is reflected in Political (VC) Department's letter dated 20.12.2017 mentioned above as reiterated vide a letter dated 12.2.2019 from Addl. Secretary, Political (VC) Department to the Joint Secretary and SPIO of Political (VC) Department.

5.(ii) In view of the above, the SPIO of Political Department is directed to furnish copies of letters dated 20.12.2017 and 12.2.2019 of Political (VC) Department as mentioned above to the petitioner within 7 days from the date of this order, which was pronounced in presence of the SPIO.

6. As regards point no. 2 of the RTI petition, the SPIO of Political Department is directed to furnish the present status of the request for personal security made by Utpal Das vide his letter dated 2.7.2016 to the petitioner within 15 days from the date of this order.

7. As regards point no. 3, the SPIO of Co-operation Department is directed to furnish the present status of the complaint letter dated 10.11.2017 regarding alleged corruption in Pioneer Co-operative Marketing Society Ltd., Athgaon, Guwahati to the petitioner within 15 days from the date of receipt of this order.

8. Finally, as regards point no. 4, the petitioner is directed to submit separate RTI petition before the SPIO of the office of the DGP, Assam specifying the date of his application submitted by him before the ADGP (M&L). In his RTI petition the petitioner mentioned the date as month of July, 2017, which is not specific as required u/s 6(3) of the RTI Act, 2005.

With the above orders, the second appeal petition dated 7.6.2018 is disposed of ex-parte.

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).1065/2018/

Dated. 15.02.2019

- Copy to:
1. The SPIO of Political Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
  2. The Addl. Secretary, Political (VC) Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
  3. The SPIO of Home Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
  4. The SPIO of Co-operation Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
  5. The Addl. Director General of Police (M&L) in the office of the DGP, Assam for information and necessary action.
  6. Shri Utpal Das, House No. 41, Rang Pathar Bye Lane, Fatashil, Ambari, Guwahati-25 for information and necessary action as per direction above.
  7. Computer Section for uploading in the Website.
  8. Office File.
  9. Order Book

Registrar i/c  
Assam Information Commission