



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

Case No. : KP(M).1271 /2018
Complainant/ appellant : Shri Dulal Bora
Respondent : SPIO of Personnel Department, Govt. of Assam
SPIO of Social Welfare Department, Govt. of Assam
Date of hearing : 12.03.2019
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
12.03.2019

1. The appellant Shri Dulal Bora is absent. However, he sent a written communication dated 12th March, 2019 communicating his inability to attend today's hearing due to his engagement in another court case in the Court of learned CJM, Kamrup (M) District. The respondents are represented by Shri Basanta Kumar Barman, Deputy Secretary and SPIO of Social Welfare Department and Smti. Panchali Kakati, ACS, Joint Secretary and SPIO of Personnel and A.R. & T Departments accompanied by Smti. Ankita Baruah, Jr. AA of Personnel Department.

2. Although the appellant requested for deferment of the date of hearing by his WS, since senior officers of both the respondent departments were present, the second appeal petition dated 14.8.2017 was taken up for ex-parte hearing in the absence of the appellant.

3. From perusal of the case records it is seen that the petitioner Shri Dulal Bora filed a complaint petition dated 13.1.2016 before the then Addl. Chief Secretary of Personnel Department, Govt. of Assam leveling certain allegations of making illegal and irregular appointments in the Directorate of Social Welfare by the then Director Shri Kumud Kalita and the then Deputy Director, Shri Kulen Saikia in violation of an order passed by the Hon'ble Gauhati High court preventing declaration of results of the corresponding recruitment tests. The petitioner followed up his complaint petition by an RTI petition dated 17.12.2016 seeking the following informations:

- (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. Since the names of the accused persons are already mentioned in his complaint petition dated 13.1.2016 only point nos. 3(a) and 3(c) above are taken up for consideration.

5. The SPIO and Deputy Secretary of Personnel Department submitted a written statement dated 14.2.2019 stating that the above mentioned RTI petition was transferred to Social Welfare Department vide letter dated 5th May, 2017.

6. The Deputy Secretary and SPIO of Social Welfare Department submitted a separate written statement dated 11th March, 2019 with supporting documents. His WS is entered into the case records. It has been mentioned in his WS that the RTI petition dated 17.12.2016 and the complaint petition dated 13.1.2016 were taken up with the Director of Social Welfare, who was successor to Shri Kumud Kalita. Accordingly a report on the allegations raised by the complainant against Shri Kumud Kalita and Shri Kulen Saikia were received vide Director, Social Welfare's letter dated. 12.3.2018. It has also been mentioned in the WS that copy of the report of inquiry submitted by the Director Social Welfare was already furnished to Shri Dulal Bora vide letters dated 31.3.2018 and 11.3.2019. A copy of the inquiry report was also enclosed with the WS. The SPIO and Deputy Secretary of Social Welfare Department also mentioned that Shri Kumud Kalita the then Director of Social Welfare has since retired from service and Shri Kulen Saikia, Deputy Director of Social Welfare has since expired.

7. From the above submissions of the Deputy Secretary and SPIO of Social Welfare Department it appears that necessary informations in respect of para 3 (a) and 3(c) have already been furnished to the petitioner. If he has not received the above mentioned letters containing the sought for informations due to miscommunication or any other reasons, he may then contact the SPIO of Social Welfare Department for an additional copy of the inquiry report submitted by the Director of Social Welfare, Govt. of Assam.

With the above order, the second appeal petition dated 14.8.2017 is disposed of.

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

Authenticated true copy.

Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M).1271/2018/

Dated. 12.03.2019

Copy to: 1. The SPIO of Personnel Department, Govt. of Assam, Dispur, Guwahati-6 for information.
2. The SPIO of Social Welfare Department, Govt. of Assam, Dispur, Guwahati-6 for information
3. Shri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book

Registrar i/c
Assam Information Commission