



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

Case No.	KP(M)876/ 2017
Complainant/ Appellant	Sri Dulal Bora.
Respondent	: SPIOs of Home and Social Welfare Deptt., Govt. of Assam.
Date of hearing	23.05.2019
Complaint/ Second	: Shri H. S. Das, IAS (Retd)
Appeal heard by	Chief Information Commissioner, Assam

**O R D E R**

23.05.2019

1. The appellant Sri Dulal Bora is absent. However, he sent a written communication dated 23.5.2019 praying for re-fixation of the date on the ground of announcement of Lok Sabha elections results today. The public authorities, i.e., Home and Social Welfare Deptt. are represented by Sri Ramesh Medhi, Under Secretary and SPIO of Home Deptt. and Sri Basanta Kr. Barman, Deputy Secretary & SPIO of Social Welfare Deptt., respectively.

2. The SPIO of Chief Secretary's office submitted a written statement dated 20.5.2019 stating that the petitioner Sri Dulal Bora's RTI petition No.DB 949/16 dated 9.8.2016 was transferred to the Joint Secretary & SPIO of Home Department and Deputy Secretary & SPIO of Social Welfare Department vide letter dated 17.8.2016.

3. From perusal of the case records it is seen that the petitioner filed a complaint petition No.DB 241/1/15 dated 29.9.2015 before the Chief Secretary, Govt. of Assam. The complaint petition was regarding allegations against the then Social Welfare Minister Sri Akon Bora and one Smti Rumi Gogoi, alias Mamoni Gogoi, and alleged reluctance of the State Police administration and the State Chief Secretary to take action against them. The petitioner Sri Dulal Bora followed up the complaint petition by an RTI petition dated 9.8.2016 addressed to the SPIO of the office of the Chief Secretary, who transferred the RTI petition to the concerned departments as already mentioned. By his RTI petition 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 29.9.2015 and name of the Inquiry Officer with his designation;
- (b) Names and addresses of the persons mentioned in the complaint petition dated 29.9.2015 and ;
- (c) Photo copy of inquiry report submitted by the Inquiry Officer to his higher Authorities

The Commission notes that the 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 complaint petition 29.9.2015. Therefore, this part of the RTI petition appears to be redundant.

4. The Under Secretary & SPIO of Home Department has submitted a written statement dated 21.5.2019. The WS is entered into the case records. It has been mentioned therein that the required information was already furnished to the petitioner vide letter No. PLA(V) 624/2017/09 dated 9.2.2018. The SPIO also enclosed an undertaking given by Sri Dulal Bora with his signature dated 20.3.2018 with a receipt of Political Deptt's reply referred to above, and that as such, he did not want to pursue the matter any further. The SPIO has also enclosed an order of the first appellate authority dated 20.3.2018 disposing of the first appeal petition in view of the fact that the sought for information was already been furnished to the petitioner and receipt of which was acknowledged by him.

5. The Deputy Secretary & SPIO of Social Welfare Department also submitted a written statement dated 23.5.2019. His WS is entered into the case records. It has been mentioned in detail along with the supporting documents by the SPIO of Social Welfare Department in his WS that the information sought for by the petitioner Sri Dulal Bora in respect of allegation against Smti Rumi Gogoi and the then Social Welfare Minister Sri Akon Bora have already been furnished to him more than once.

6. Going by the written submissions of SPIOs of Home and Social Welfare Departments of Govt. of Assam, it appears that the instant second appeal petition dated 24.7.2017 is a repetition of earlier RTI petitions submitted by the same petitioner on the same subject matter and that required informations were already furnished to him by the concerned SPIOs of Home & Social Welfare Deptts., and receipt of information from Home Deptt. was acknowledged by the appellant in writing with his signature dated 20.3.2018.

7. In view of the above, no further hearing is considered necessary, and the instant second appeal petition is disposed of ex parte in absence of the appellant. The appellant will however, be at liberty to revert to this Commission if he is not satisfied with any specific part of the information already furnished to him by the concerned SPIOs.

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)876/2017

Dated 23.05.2019

Copy to:

1. The SPIO of Home Department, Govt. of Assam, Janata Bhawan, Dispur, Guwahati -6 for information. and necessary action.
2. The SPIO of Social Welfare Deptt., Govt. of Assam, Janata Bhawan, Dispur, Guwahati 6 for information and necessary action.
3. Sri Dulal Bora, Kainadhara Tiniali, House No.118, Khanapara, Guwahati 22.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar i/c  
Assam Information Commission

