



**OFFICE OF THE
ASSAM INFORMATIONS COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No : KP(M).939/2017
Complainant/ Appellant : Sri Dulal Bora
Respondent : SPIO to the Govt. of Assam WPT & BC Department
Date of hearing : 4.6.2019
Complaint/ Second : Shri H.S. Das. IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

4.6.2019

1. The petitioner/ appellant Sri Dulal Bora is absent. However, he sent an e-mail dated 4.6.2019 prayed for re-fixation of the date of hearing due to some personal problems. The public authority, i.e., SPIO of the Department of WPT & BC Govt. of Assam is also absent. The SPIO has also sent a written statement dated 1.6.2019 giving details of action taken on the petitioner's RTI petition dated 9.8.2016 with reference to which the instant second appeal petition dated 24.7.2017 was filed and which is now under consideration before this Commission. Before that the petitioner filed a complaint petition dated 22.5.2015 before the Chief Secretary, Govt. of Assam with reference to which the RTI petition was filed. The written statement is entered into the case records.

2. From the WS submitted by the SPIO of WPT & BC Department it appears that the required informations were furnished to the petitioner by the concerned SPIO of WPT & BC Department vide letter dated 15th September, 2016. Thereafter, 17.7.2017, 8.8.2017, 15.9.2017 and 7.10.2017 were fixed for hearing of first appeal petition filed by the petitioner. The petitioner was absent on the first three dates. Finally, the first appeal petition dated 16.5.2017 was heard by the First Appellate Authority and Commissioner & Secretary to the Govt. of Assam, WPT & BC Department in the presence of the petitioner and the FAA disposed of the first appeal petition with a speaking order dated 7.10.2017. It is mentioned in the speaking order that the same matter was earlier disposed of by the same First Appellate Authority by another speaking order dated 8th March, 2017 and in pursuance of that order the sought for informations were already furnished to him vide letter dated 10th March, 2017. The appellant said that he did not get that communication and informations. Therefore, the same informations were furnished to him again on 7.10.2017 which was received by the petitioner by his own hand and signature dated 7.10.2017.

3. In view of the above the instant second appeal petition dated 24.7.2017 appears to be **infructuous and superfluous**. Hence, it is **dismissed with a direction to the appellant that he should check his own records before filing second appeal petitions and then pursuing the same so that such redundancy can be avoided**.

Sd/-

(H. S. Das)

Chief Information Commissioners, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar i/c
Assam Information Commission

Memo No. SIC/KP(M)939/2017

Dated. 4.6.2019

Copy to:

1. The SPIO to the Govt. of Assam W.P.T & B.C Department, Janata Bhawan, Guwahati-06, Assam.
2. The Petitioner, Sri Dulal Bora, Kainadhara tiniali, House No-118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File
5. Order Book

Registrar i/c

Assam Information commission