



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

Case No : KP(M).941/2017
 Complainant/ Appellant : Sri Dulal Bora
 Respondent : SPIO of the Personnel (A)Department, Govt. of Assam
 Date of hearing : 6.6.2019
 Complaint/ Second : Shri H.S. Das. IAS (Retd)
 Appeal heard by : Chief Information Commissioner, Assam

O R D E R

6.6.2019

1. The appellant Sri Dulal Bora is absent. He has prayed for re-fixation of the date of hearing due to his illness. The public authority is represented by the SPIO and Under Secretary of Personnel (A) Department, Govt. of Assam Smti. Sharmila Baishya, ACS, accompanied by Ms. Ankita Boruah, Jr. AA of the Department.
2. From perusal of the case records it is seen that the petitioner filed complaint petition No. DB-476/2/16 dated 7.3.2016 before the Chief Secretary, Govt. of Assam against one Shri Mukul Kathar, ACS. He followed up his complaint petition by an RTI petition No. DB-744/16 dated 30.7.2016.
3. The SPIO and Under Secretary of Personnel Department submitted a written statement dated 6th June, 2019, which is entered into the case records. The SPIO has mentioned that the said petitioner filed another complaint petition No. DB-54/10/15 dated 7.3.2015 on the same subject against the same officer before the Chief Secretary to the Government of Assam and followed it up by another RTI petition No. DB-888/16 dated 9.8.2016. The SPIO has also enclosed a copy of this Commission's earlier order dated 2.11.2018 disposing of a second appeal petition with reference to the RTI petition No. DB-888/16 dated 9.8.2016. The information which was noted as not received by the petitioner Shri Dulal Bora in order dated 2.11.2018 was handed over to him by the concerned SPIO vide letter dated 19.12.2017. The SPIO submitted that Shri Bora was asked vide letter dated 17.5.2016 to submit documentary evidence in support of his allegations, but no reply was received from him. The SPIO submitted orally that till date no reply has been received from the petitioner Shri Dulal Bora. As such no inquiry has been initiated on the basis of the compliant petitions mentioned above.
4. In view of the above submission of the SPIO that no inquiry has been initiated on the basis of the complaint petitions dated 7.3.2016 and dated 7.3.2015 due to non-receipt of documentary evidence from the petitioner, **this Commission seems to have no further cause of action and hence the second appeal petition dated 24.7.2017 is disposed of in the absence of the petitioner. This also appears to be a case of double/multiple complaint petitions, RTI petitions and second appeal petitions by the same petitioner on the same subject. However, for ready reference of the petitioner enclose copies of Personnel Department's letter No. AAP.123/2018/11**

dated 19th June, 2018 and No. AAP.399/2017/37 dated 19th December, 2017 with the petitioner's copy of this order. For any future reference, the instant second appeal case file will be clubbed together with the other second appeal case No. KP(M).336/2018, which was on the same matter.

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).941/2017/

Dated. 6.6.2019

Copy to: 1. The Under Secretary and SPIO of the Personnel (A) Department, Govt. of Assam, Dispur, Guwahati-06 for information.
2. The Petitioner, Sri Dulal Bora, Kainadhara tiniali, House No-118, Khanapara, Guwahati-22 for information (Copy of the letter No. AAP.123/2018/11 dated 19.6.2018 and NO. AAP.399/2017/37 dated 19.12.2017 enclosed)
3. Computer Section for uploading in the Website.
4. Office File
5. Order Book

Registrar i/c

Assam Information commission