



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

Case No : KP (M).945/2017
Complainant/ Appellant : Sri Dulal Bora
Respondent : SPIO of the Personnel Department
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, i.e., Personnel Department is present as represented by the SPIO and Under Secretary Smti Sharmila Baishya, ACS accompanied by Sri Ankita Baruah, Jr. AA of the department.
2. From perusal of the case records it is seen that the petitioner Sri Dulal Bora filed a complaint petition number D.B-292/2/15 dated 5.12.2015 before the Chief Secretary, Govt. of Assam against one Sri Bharat Bhusan Dev Choudhury, ACS. He followed up the complaint petition by an RTI petition number 986/16 dated 9.8.2016 seeking following three informations-
 - (a) The file No. from which inquiry was ordered, the name of the Inquiry Officer and present posting of the Inquiring Officer;
 - (b) Name and address of the accused person, and;
 - (c) Copy of the Inquiry report
3. This Commission notes that informations with regard to point No. 2(b), i.e., the name and address of the allegedly accused person has been mentioned by the petitioner himself in his original complaint petition dated 5.12.2015. Therefore, this part of the RTI petition appears to be redundant.
4. The RTI petition was followed up by first appeal petition dated 16.5.2017 and second appeal petition 24.7.2017. It is seen from the written statement submitted by the Under Secretary and SPIO of Personnel Department that the same petitioner filed another complaint petition number D.B-261/3/15 dated 6.11.2015 before Chief Secretary of Assam against the same officer Sri Bharat Bhusan Dev Choudhury, ACS with the same allegation, which was again followed up by an RTI petition dated 9.8.2016 and second appeal petition dated 24.7.2017 which was disposed of vide order dated 18.12.2017 in second appeal case number KP(M) 948/2017. In compliance with that order the petitioner was informed by the SPIO of Personnel Department vide letter

dated 1.1.2018 that the Personnel Department did not find it necessary to initiate an inquiry against the officer. Enclose a copy of this letter with the petitioner's copy of this order for his ready reference. This also appears to be a case of double/multiple complaint petition, RTI petition and second appeal petition by the same petitioner on the same subject.

5. In view of the above the second appeal petition dated 24.7.2017 is disposed of ex-parte in absence of the appellant.

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).945/2017

Dated. 6.6.2019

Copy to:

1. The SPIO of the Personnel Department, Govt. of Assam , Janata Bhawan, Ghy-08 for information.
2. The Petitioner, Sri Dulal Bora, Kainadhara tiniali, House No-118, Khanapara, Guwahati-22 for information (Copy of the letter No. AAP.406/2017/9 dated 1.1.2018 enclosed)
3. Computer Section for uploading in the Website.
4. Office File
5. Order Book

Registrar i/c

Assam Information commission