



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

Case No. KP(M)556/ 2019  
 Complainant/ Appellant Sri Dulal Bora.  
 Respondent : SPIO of Finance Department, Govt. of Assam.  
 Date of hearing 26.07.2019  
 Complaint/ Second : Shri H. S. Das, IAS (Retd)  
 Appeal heard by Chief Information Commissioner, Assam

**O R D E R**

26.07.2019

1. The appellant-petitioner Sri Dulal Bora is present. The public authority, i.e., the Finance Department, Govt. of Assam is absent. The concerned SPIO of Finance Department informed the Registry of this Commission by an e-mail dated 26.7.2019 along with a letter No. FEB.216/2017/Pt/49 dated 26.7.2019 stating that for commencement of the State Assembly Session from today he is unable to attend today's hearing in this Commission. There is, however, no mention of any request in his letter for deferment of the date of hearing, nor is there any mention whether the applicant's RTI petition dated 25.9.2017 has been satisfactorily replied to.

2. From the case records it is seen that the petitioner Sri Dulal Bora filed a complaint petition before Sri Himanta Biswa Sarma, Hon'ble Minister of Finance, Govt. of Assam alleging some irregularities involving Rs.200 crores in incurring expenditure from untied funds in Jorhat District. In the complaint petition, he requested for an inquiry into the allegations. By his RTI petition dated 25.9.2017 he sought the following informations :-

- (a) The number of the file from which inquiry was ordered into the allegations mentioned in his complaint petition dated 11-7-2017 and name of the Inquiry Officer with his designation;
- (b) Names and addresses of the persons mentioned in the complaint petition dated 11-7-2017, and
- (c) Photo copy of inquiry report submitted by the Inquiry Officer to his higher authorities

This Commission notes that information with regard to point no.2(b), i.e. the names and address of the allegedly accused persons have been mentioned by the petitioner himself in his complaint petition dated 11.7.2017. Therefore, this part of the RTI petition appears to be redundant.

3. The SPIO of Finance Department is directed to furnish the sought for informations as at para 2(a) and 2(c) above, which are admissible under the RTI Act, 2005, within 15 days

from the date of receipt of this order, failing which, invocation of penal section 20 of the RTI Act, 2005 will automatically be operative. He is further directed to note that under Section 7 of the RTI Act he is required to furnish sought for informations within 30 days from the date of receipt of the request for information. There is no provision in the RTI Act for relaxation of the time limit for any extraneous reason like, attending Assembly Session or other important official works. He is also directed to note that nearly two years have already elapsed from the date of filing of the RTI petition.

4. With the above order, the second appeal petition dated 3.4.2018 is disposed of.

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

Authenticated true copy.


  
Registrar i/c  
Assam Information Commission

Memo No. SIC/ KP(M)556/2019

Dated 26.07.2019

Copy to:

1. The SPIO of Finance Deptt., Dispur, Guwahati 6  
for information and necessary action.
2. Sri Dulal Bora, Koinadhara Tiniali, H.No.118, Khanapara, Guwahati 22..
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

  
Registrar i/c  
Assam Information Commission