



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/DRN.38 /2019
Appellant : Md. Muzafar Hussain
Respondent : The SPIO, Chief Minister's office, Dispur, Guwahati- 6
Date of hearing : 24.09.2019
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

24.09.2019

Sri Niranjana Bora, Deputy Secretary/SPIO, Chief Minister's Secretariat is present. He submitted a Written Statement dated 23.09.2019.

The Petitioner, Md. Muzaffar Hussain is present along with Md. Amir Hussain to assist him.

Through his personal deposition and Written Statement, the SPIO submitted that as the subject matter of the RTI Application dated 20.12.2018 related to Social Welfare Department the same was transferred U/S 6 (3) of the RTI Act, 2005 to the SPIO of that Department through a letter dated 27.12.2018 under intimation to the Appellant.

The Appellant submitted that he had learnt from a communication from the Directorate of Social Welfare that his RTI Application had been transferred to the DSWO, Darrang but he had not received a copy of the letter of SPIO of CM, Secretariat by which the Application was transferred to the Directorate. He submitted that he had not received the information.

Based on the facts brought out before it, the Commission is of the view that if the CM Secretariat is not the holder of the information, it has done the right thing by transferring the RTI Application to the appropriate Department. It is the SPIO, office of the DSWO, Darrang who is to furnish the information to the Appellant. However, that SPIO is not a party to this Second Appeal case and was not notified on today's hearing. **The Commission therefore hereby disposes of the Second Appeal case with the direction to the Appellant that if he is still interested in the information, he may like to submit a First Appeal to the First Appellate Authority/DSWO, Darrang.**

With this, the Second Appeal is hereby disposed of.

Sd/-

Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Joint Registrar
Assam Information Commission

Memo No. SIC/DRN.38 /2019

Dtd.24.09.2019

Copy to:

1. The SPIO, Chief Minister's office, Dispur, Guwahati- 6 for information and necessary action.
2. The First Appellate Authority/Chief Minister's office, Dispur, Guwahati- 6 for information.
3. The Appellant, Md. Muzafar Hussain, S/o- Lt. Alep Hussain, Vill- No. 1 Thekerabari, PO- Balabari, Dist.- Darrang, Assam, Pin- 784 146 for information.
4. Computer Section for uploading in the Website.
5. Office File.



Joint Registrar
Assam Information Commission