



OFFICE OF THE

ASSAM INFORMATION COMMISSION

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Case No. : SIC/ NGN.150/2018
Appellant : Sri Prabal Rajkhowa
Respondent : The SPIO, O/o the District Social Welfare Officer, Police Colony,
Janesewa Press, Dist. Morigaon, Assam
Date of hearing : 30-4-2019
Second Appeal heard by : Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
30-4-2019

The petitioner Sri Prabal Rajkhowa is present assisted by Sri Manoj Kumar Deka. The Public authority is represented by Sri Satyendra Konwar, SPIO and L.D.A. cum Typist.

The District Social Welfare Officer, Morigaon vide letter dt. 29th April, 2019 has informed the Commission that the RTI petition dt. 8-12-2017 was received by him and vide letter dt. 29-12-2017 the petitioner was informed that all relevant documents of interview for the post of S.A./L.D.A./Supervisor/Driver/Peon on 2005-6 were seized by S.I. Md. Samsul Alom of Morigaon Police Station as per Morigaon P.S.C.No. 137/14/VISKO (B) 468/420 I.P.C. on 11-8-2014. In this connection he stated that he had requested the Officer in-charge, Morigaon P.S. several times to hand over the documents, so as to enable them to furnish the information to the petitioner, but no positive response had been received from their end. He also stated that the matter is also pending before the Hon'ble High Court vide WP(C) NO. 5773/2013 Mahendra Saikia –Vs- State of Assam. The Hon'ble High Court had also directed to produce scan copy of the record of Morigaon Police Case NO. 137/14 before the Hon'ble High Court on 29-4-2019. He has enclosed a copy of the letter addressed to the O/C, Morigaon Police Station dt. 26-3-2019 requesting him to hand over the relevant record seized by S.I. Md. Samsul Alom against Morigaon Police Station Case No. 137/14/VISKO (B) 468/420 I.P.C. on 11-8-2014, as the said original record were urgently needed in connection with WP(C) NO. 5773/2013 by the Hon'ble High Court.

The petitioner present stated that he had not received the letter dt. 29th December, 2017 informing him that the records were seized by Morigaon P.S. and the same was handed over the Public authority and received by the petitioner today.

The Commission observes that the documents sought for by the petitioner had been seized by the Morigaon Police Station as per Morigaon P.S. Case No. referred to above on 11-8-2014. Since the documents were seized by the Morigaon P.S. and the aforesaid matter is also pending in the Hon'ble High Court, the Public authority is directed to furnish the documents immediately on receipt of the same from the Morigaon P.S.

With the above direction the 2nd Appeal petition dt. 14-8-2018 is disposed of.

Sd/-

(Nilufer Alam Hazarika, IAS(Retd.))
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/NGN.150/2018

Dtd. 30-4-2019

Copy to:

1. The SPIO, O/o the District Social Welfare Officer, Police Colony, Janesewa Press, Dist. Morigaon, Assam for information and necessary action.
2. The First Appellate Authority / O/o the District Social Welfare Officer, Police Colony, Janesewa Press, Dist. Morigaon, Assam for information and necessary action.
3. The Appellant/Complainant Sri Prabal Rajkhowa, S/o Lt. Deben Rajkhowa, Vill. Gederbori, P.O. Jamuguri, P.S. Jajari, Dist. Nagaon, Assam, PIN – 782143 for information.
4. Computer Section for uploading in the Website.
5. Office File.



Joint Registrar
Assam Information Commission