

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

Case No. : KP(M).315/2013
Complainant/ appellant : Shri Dulal Bora
Respondent : Director General of Police (HQ), Assam
Date of hearing : 11. 2.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
11.2.2016

The petitioner Shri Dulal Bora is present. The Public Authority is represented by Shri Prodeep Kr. Rajbongshi, APS accompanied by Shri Paresh Borah, ASI of Police of DGP's office. The Second Appeal petition dtd 28.6.13 is taken up for hearing in presence of both the parties.

From perusal of the case records it is seen that the applicant Shri Dulal Bora filed an RTI application dtd 13.3.13 before the Addl DGP, CID, Assam seeking detailed investigation report with copy of Post Mortem report in Jalukbari PS case No. 723/12 relating to late Nilotpol Lahon, husband of Addl. SP, Leena Doley.

Not getting any response to his RTI application, the petitioner claims to have filed a First Appeal petition dtd 9.5.13 before the DGP, Assam which has been followed by his Second Appeal petition dtd 10.6.13 before this Commission.

AIGP (Admin) and SPIO of Assam Police Headquarters has made a written submission dtd 9.2.16 stating that the First Appeal petition dtd 9.5.13 was not received in the office of the DGP as per office records. There is no evidence or indication in the copy of the First Appeal petition submitted by the petitioner before this Commission that it was received in the office of the DGP, Assam. The Dy.SP Shri P.K. Rajbongshi, APS, who was present before the Commission today submitted that the Addl. DGP, CID, Assam will be the appropriate First Appellate Authority in this case.

The Commission therefore, remands the First Appeal petition dtd 9.5.13 to the Addl. DGP, CID, Assam for hearing and disposal within a period of 30 days from the date of receipt of this order.

With the above order, the Second Appeal petition dtd 10.6.13 is disposed of.

Sd/-

(H. S. Das)

Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

- Copy to:
1. The Addl. Director General of Police & First Appellate Authority, CID, Assam Police HQ, Ulubari, Guwahati-7 for information and necessary action.
 2. The Asstt. Inspector General of Police (A) & SPIO, Assam Police HQ, Ulubari, Guwahati-7 for information and necessary action.
 3. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
 4. Computer Section for uploading in the Website.
 5. Office File.

Secretary & Registrar
Assam State Information Commission