

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

Case No. : KP(M).475/2013
Complainant/ appellant : Shri Dulal Bora
Respondent : Director General of Police (HQ), Assam
Date of hearing : 11. 2.2016
Complaint/ Second Appeal heard by : Shri H.S. Das, IAS (Retd)
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 Deputy commissioner of Police (A) Shri Debraj Upadhaya, IPS has sent a written prayer dtd 10.2.16 requesting fresh date for his personal appearance. Simultaneously the AIGP (A) and SPIO has also sent an office order dtd 9.2.16 authorising Shri Prodeep Kr. Rajbongashi, Dy.S..P. for appearing before the Commission today.

From perusal of the case records it is seen that the petitioner vide his RTI application dtd 14.3.13 filed before the DGP, Assam sought information on what action he would take and when, against the then OC of Basistha Police Station Shri Banamali Handique for not mentioning any section in case Nos. 810/12 and 521/12 which were registered on the basis of FIR filed by the applicant's wife Smt. Barnali Dutta Bora.

The AIGP(A) has sent a written submission dtd 9.2.16 narrating the actions taken by them. The action taken was limited to transfer of the RTI application to the Sr. SP, Guwahati city.

The petitioner stated that till date he has not received any information from the concerned Public Authority.

This Commission is of the view that the applicant is entitled to know whether any action was taken and if so, what were the actions, against the then OC of Basistha Police Station for not mentioning any penal section against the case numbers mentioned above.

This Commission therefore, directs the Commissioner of Police, Guwahati City to inform the petitioner Shri Dulal Bora about the action taken, if any, against the then OC of Basistha Police Station for his lapses as alleged by the RTI applicant. The information be furnished within 15 days from the date of receipt of this order.

With the above order, the personal appearance of the DCP (A) and SPIO is dispensed with and the Second Appeal petition dtd 28.6.13 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 Commissioner of Police, Guwahati City, Guwahati-1 for information and necessary action.
 2. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
 3. Computer Section for uploading in the Website.
 4. Office File.

Secretary & Registrar
Assam State Information Commission