



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

Case No. : **KP(M). 248/2013**

Complainant/ appellant : **Sri Dulal Bora**

Respondent : **DGP, Assam**

Date of hearing : **08-02-2016**

Complaint/ Second appeal heard by : **Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The public authority is represented by Sri P. K. Rajbangshi, APS, Assam Police Headquarters as authorized by AIGP and PIO of Assam Police Headquarters vide his letter dated 6th February, 2016.

The AIGP and PIO has sent a written submission dated 3rd February, 2016 which is entered into the case records. In his written submission he has stated that the RTI petition was circulated to all concerned officials with a direction to furnish the information pertaining to their respective districts/ organizations directly to the petitioner. Accordingly most of these District/ police organizations had furnished the information to the petitioner , copies of which have been enclosed with the written submission..

From perusal of the RTI petition dated 22-2-2013 of Sri Dulal Bora filed before the PIO of DGP, Assam it is seen that the first question is hypothetical. By his first question the petitioner wanted to know – “What action will the department take against the Officer-in-Charge if the Officer-in-charge did not put proper Sections in the FIR.” This Commission is of the view that appropriate action in such cases will vary from case to case and a general reply in the future tense does not fall within the ambit of the RTI Act, 2005. Although several S.Ps have given their responses to this question, which can be summarized as (a) necessary action is taken by the department after proper inquiry and (b) the trial Court may ask the O.C to apply appropriate sections.. In view of the above this part of the RTI application is dismissed.

As regards the second question, by which the petitioner wanted to know the total number of vehicles and the number of vehicles in working condition in Assam Police Organization from 1st January, 2011 to 31st January, 2013, this Commission finds this question to be indeterminate, because such information can be given with reference to a given date and not over a period of time. Although some S.Ps of the districts have furnished the information to the petitioner on this point, they do not seem to make much sense for the same reason. This Commission advises the petitioner to submit fresh RTI petition , if he so desires seeking information on the total number of vehicles and the number of vehicles in working condition on a particular date.

As regards the number of vehicles bought during the period from 1st January, 2011 to 31st January, 2013, the DSP, Assam Police Headquarters present said that all vehicles are purchased by the Assam Police Headquarters

Therefore, this Commission directs the Director General of Police, Assam, to furnish the information to the petitioner within 15 days from the date of receipt of this order.

With the above orders the second appeal petition dated 17-5-2013 is disposed of.

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

Authenticated true copy

**Sd/-
Secretary & Registrar
Assam State Information Commission**

Memo No. KP(M) 248/2013/ -A

Dated 8-2-2016

Copy to:-

1. Director General of Police, Assam , Assam Police Headquarters, Guwahati-7 for information and necessary action.
2. AIGP and PIO of Assam Police Headquarters , Ulubari, Guwahati- 7 for information and necessary action
3. Sri Dulal Bora, Koinadhara Tiniali, 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**