



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

Case No. : KP(M).596 /2013
Complainant/ appellant : Shri Dulal Bora
Respondent : Home Department, Govt. of Assam
Date of hearing : 21. 3.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
21.3.2016

Seen the non-compliance complaint petition dtd 31.8.15 submitted by Shri Dulal Bora, petitioner, complaining non-compliance of information by the SPIO of Home Department, Govt. of Assam in compliance of this Commission's order dtd 14.11.2013.

It is seen from the case records that vide his RTI petition dtd 2.7.13 the petitioner, Shri Dulal Bora wanted to know as to what action would be taken against the guilty police officials for trying to protect the persons who were accused of raping a widow in Bajali.

It is seen that in its order dtd 14.11.13, this Commission referred to a Supreme Court's order dtd 9.8.11 in Civil Appeal No. 6454 and observed that actions to be taken at a future date cannot be deemed to be an existing and available information. Copy of Commission's order dtd 14.11.13 was endorsed to the petitioner Shri Dulal Bora also.

Therefore, this Commission's direction dtd 14.11.13 to the SPIO of Home Department to furnish the above non-available information to the petitioner was redundant. **The complaint petition is therefore, found to be superfluous. Hence it is dismissed.**

If the petitioner wants to know whether any action has been taken and, if so, what action has been taken against the guilty police officials mentioned above, he may then file a fresh RTI application before the concerned Public Authority.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ KP(M).596/2013/

Dtd. 21.3.2016

Copy to:

1. The SPIO of Home Department, Government of Assam, Dispur, Guwahati-6 for information.
2. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission