



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

Case No. : SIC/DHR.85/2017  
Appellant : Shri Saman Ali Sk  
Respondent : The SPIO, O/o the Superintendent of Police, Dhubri, Assam  
Date of hearing : 31.08.2017  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
31.08.2017

The Appellant, Shri Saman Ali Sk is present. He has submitted a Written Statement dated 23.08.2017.

The SPIO absent. He has, however submitted a Written Statement dated 16.08.2017.

Heard the Appellant and perused his Written Statement. He submitted that he was not satisfied with the response received from the SPIO that the information on the police case currently under investigation as sought for could not be provided being exempted U/S 8 (1) (h) of the RTI Act, 2005. He submitted that financial irregularities and corruption in the matter of Government scheme were suspected and he was apprehensive that the case registered in the month of September, 2016 was not being investigated in right earnest. He also wondered as to why the accused persons had not been arrested instead of allowing them to continue with their irregular activities. He added that as advised by the SPIO he had visited the given website but could not find the said case in the list of FIRs.

Perused the case record. It is seen that through his Application dated 20.03.2017 the Appellant had sought information such as case diary, the investigation report, the documentary evidence collected etc. relating to the said case registered in Bilasipara Police Station on 21.09.2016. It is also seen that he had submitted a First Appeal dated 24.04.2017 to the Deputy Secretary to the Government of Assam/SPIO, Home Department. There is however no evidence of the First Appeal having been disposed of.

Perused the Written Statement of the SPIO. The fact of providing the aforementioned response to the Appellant through a letter dated 09.05.2017 has been mentioned and a copy of the said letter enclosed. It is seen that the said letter dated 09.05.2017 was not properly worded and it could only be surmised from the context that the information could not be provided as exempted U/S 8 (1) (h) of the said Act.

The Commission recognizes the fact that the detailed information relating to an FIR dealt with by the police authorities could not be divulged under the said Section of the said Act until the investigation was complete. However, as the Appellant has alleged corruption and financial irregularities in the case, it is desirable that the investigation is carried out with seriousness and urgency that such a case deserves and completed promptly. Considering this, and the allegation of tardiness in the process, the Superintendent of Police, Dhubri district being the Head of the Public Authority should ensure that the investigation in the said case registered nearly a year back, completed as soon as possible, if not already completed in the meantime and the information sought for by the Appellant furnished.

Send a copy of the Appellant's Written Statement dated 23.08.2017 to the SPIO and the SP, Dhubri along with this order.

The Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to move this Commission, if he is not satisfied with the response of the SPIO.

Sd/-  
Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Registrar i/c  
Assam State Information Commission

Memo No. SIC/DHR.85/2017

Dtd.31.08.2017

Copy to:

1. The SPIO, O/o the Superintendent of Police, Dhubri, Assam for information and necessary action.
2. The Superintendent of Police, Dhubri, Assam for information and necessary action.
3. The First Appellate Authority/Deputy Secretary, Home Department, Janata Bhawan, Dispur, Assam for information.
4. The Appellant, Shri Saman Ali Sk, S/o- Kachimuddin Sk, Krishnanagar, Ward No. 14, PO & PS- Bilasipara, Dist- Dhubri, Pin- 783 348, Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.

Registrar i/c  
Assam State Information Commission







