



OFFICE OF THE

ASSAM INFORMATION COMMISSION

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Case No. KP(M).127/2018
Complainant/ Appellant Sri Dulal Bora
Respondent Home Department, Govt. of Assam.
Date of Hearing 11.04.2018
Complaint/ Second appeal heard by Shri H. S. Das, IAS (Retd)
State Chief Information Commissioner, Assam

O R D E R
11.04.2018

1. The petitioner Sri Dulal Bora is present. The public authority is represented by -
(1) Sri Naren Ch. Basumatary, ACS, Joint Secretary and SPIO of Home and Political Department, (2) Sri Sourov Mitra, Sr. Administrative Assistant of Home (A) Department and (3) ASI Sri Paresh Borah, Assam Police Headquarters, Ulubari, Guwahati.

2. The second appeal petition dated 24-7-2017 is taken up for hearing in presence of both the parties.

3. From perusal of the case records it is seen that Sri Dulal Bora filed a complaint petition dated 29-2-2016 before the Chief Secretary to the Govt. of Assam, levelling specific charges against Smti Jayashree Kheresa, the then Commandant of 12 A.P. Battalion. He followed up the complaint petition by an RTI petition dated 9-8-2016 which was addressed to the PIO of Chief Secretary's office.

3. The SPIO of the office of Chief Secretary has sent a written statement dated 6-4-2018 stating that the RTI petition as well as the subsequent 1st appeal petition dated 16-5-2017 were transferred to the Home Department on 24-8-2016 and 25-5-2017 respectively. The petitioner Sri Dulal Bora was also given copies of the above communications from the office of Chief Secretary.

4. The SPIO and Joint Secretary, Home Department Sri Naren Ch. Basumatary, ACS submitted an action taken statement dated 11-4-2018. It has been mentioned in the statement that the RTI petition was transferred to the SPIO of the Office of DGP vide Home Department letter No. HMA. 675/2016/5 dated 28-2-2017. The SPIO of DGP's office stated that the allegations were forwarded to DIGP (N.R), under which the 12th APBN falls. The first appeal petition dated 16-5-2017 was disposed of by Home Department with a direction to the SPIO of DGP's office to take urgent

necessary steps and furnish the information to the appellant within seven days from the date of receipt of the order of the first appellate authority with intimation to the Home Department.

5. From the above, it appears that an inquiry was ordered into the allegations by the DGP through the DIGP Northern Range. The petitioner submitted orally that he has not received any response or reply from the SPIO of the office of DGP.

6. As already mentioned, the First Appellate Authority in the Home Department had already directed the SPIO of DGP's Office to take urgent necessary action and furnish the information to the appellant within seven days. The SPIO of DGP's office is, therefore, directed to obtain the report from the concerned Inquiry Officer and furnish a copy of the same to the petitioner within 15 days from the date of receipt of this order. If the SPIO thinks that copy of the report cannot be furnished to the petitioner on any of the grounds listed under Section 8 or 9 of the RTI Act, 2005 then the SPIO will explain the reasons for non-furnishing a copy of the report with reference to relevant provisions of the above two Sections.

7. With the above order the second appeal petition dated 24-7-2017 is disposed of.

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Registrar
Assam Information Commission

Memo No SIC/ KP(M) 127 /2018.

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Dated 11.04.2018

Copy to:-

- 1) PIO of the office of Chief Secretary, Assam, Dispur, Guwahati-6 for information.
- 2) Sri Naren Ch. Basumatary, ACS, Joint Secretary and SPIO of Home and Political Department, Dispur, Guwahati-6 for information.
- 3) SPIO of the office of Director General of Police, Assam, Ulubari, Guwahati for information. & necessary action.
- 4) DIGP Northern Range, Assam, Tezpur, for information and necessary action.
- 5) Sri Dulal Bora, Koinadhara Tiniali, House No-118, Khanapara, Guwahati-22 for information.
- 6) Computer Section for uploading in the Website
- 7) Office file
- 8) Order Book.**

Registrar
Assam Information Commission.