



OFFICE OF THE

ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. KP(M) 194/2018
Complainant/ Appellant Sri Dulal Bora
Respondent Home Department.
Date of Hearing 31.05.2018
Complaint/ Second appeal heard by Shri H. S. Das, IAS (Retd)
State Chief Information Commissioner, Assam

O R D E R
31.05.2018

1. The petitioner Sri Dulal Bora is absent. However, he has sent an e-mail dated 31st May, 2018 requesting for deferment of the date of hearing, as he is busy with a Court case in the Court of Chief Judicial Magistrate, today.
2. The public authority is represented by Sri N. C. Basumatary, ACS, Joint Secretary, and SPIO of Home and Political Department. He has submitted a written statement dated 29th May, 2018 stating that vide letter No. PLA(V) 450/2016/07 dated 4th November, 2016 and PLA(V) 450/2016/23 dated 6th March, 2018 the petitioner have already been informed that the process of inquiry is continuing and therefore under Section 8 (i) (h) of the RTI Act, 2005 the information sought for by him could not be furnished.
3. This Commission is of the view that mere reference to Section 8(i) (h) is not enough to deny the information. The SPIO is also required to point out which element(s) of Section 8(i) (h) prevent the public authority from disclosing the sought for information, with clarifications thereon.
4. Fix 22-6-2018, 12.30 P.M for next date of hearing.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

**Registrar I/c
Assam Information Commission**

Copy to:-

- 1) Sri N.C. Basumatary, ACS, Joint Secretary and SPIO of Home & Political Department, Dispur, Guwahati-6 for information and necessary action as ordered above.
- 2) Sri Dulal Bora, Koinadhara Tiniali, House No.-118, Khanapara, Guwahati-22 for information .
- 3) Computer Section for uploading in the Website
- 4) Office file.
- 5) Order Book.**

**Registrar I/c
Assam Information Commission.**