

Case No.	KP(M)194/2018
Complainant/ Appellant	Sri Dulal Bora
Respondent	Home Department.
Date of Hearing	22.06.2018
Complaint/ Second appeal heard by	Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam

O R D E R
22.06.2018

1. The petitioner Sri Dulal Bora is absent. However, he has sent an e-mail dated 22nd June, 2018 requesting for re-fixation of the date of hearing. Sri N.C.Basumatary , Joint Secretary and SPIO of Home and Political Department is present.
2. In pursuance of this Commission's previous order dated 31-5-2018 Sri Basumatary has submitted a written statement dated 21st June,2018 stating that the information as sought for by the applicant Sri Dulal Bora vide his RTI petition dated 30-7-2016 could not be furnished at this stage , as per Section 8(1)(h) of the RTI Act, 2005 on the ground that disclosure of the information would impede the process of investigation or apprehension or prosecution of offenders.
3. From the submission of the SPIO of Home and Political Department, it appears that the subject matter of the petitioner's original complaint petition dated 1-7-2017 addressed to the Chief Secretary, Govt. of Assam is under police investigation, implying thereby that some police case have been registered in some police station or by the CID or by some other investigating agency.
4. While the Commission agrees with the SPIO that the content of the findings of the investigation in the interim period may attract the provisions of Section 8(1)(h) of the RTI Act as referred to above, furnishing the information regarding the name of the investigating agency, name of the investigating officer and the police case number will not attract the provisions of Section 8 (1)(h) of the RTI Act.
5. The SPIO is, therefore, directed to obtain the above informations from the concerned investigating agency and furnish the same to the petitioner within 30 days from the date of receipt of this order.
6. With the above order, the second appeal petition is disposed of since there does not appear to be any necessity for further hearing.

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

Authenticated true copy

**Registrar I/c
Assam Information Commission**

Memo No SIC/ KP(M). 194/2018 / A

Dated 21.06.2018

Copy to:-.

- 1) Sri N.C.Basumatary, Joint Secretary and SPIO of Home and 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.**