

**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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**Case No.** :No.KP(M).451/2018  
**Complainant/ Appellant** :Sri Dulal Bora  
**Respondent** :Home Department  
**Date of Hearing** :26-09-2018  
**Complaint/ Second appeal heard by** :Shri H. S. Das, IAS (Retd)  
:State Chief Information Commissioner, Assam

**O R D E R**  
**26-09-2018**

1. The appellant / petitioner Sri Dulal Bora is absent. However, he has sent an e-mail dated 26<sup>th</sup> September, 2018 praying for re-fixation of the date of hearing due to his pre-occupation with another Court case. The public authority is, however, present, - represented by Sri N.C.Basumatary, Joint Secretary and SPIO of Home and Political Department. From the office of the Director General of Police (DGP), Sri Golak Ch. Deka, Deputy Superintendent of Police, Assam Police Headquarters is present, accompanied by Sri Paresh Borah, ASI of the same office.
2. The Joint Secretary, SPIO of Home and Political Department has sent a written submission dated 21-9-2018 detailing the sequence of actions taken by the Home Department on the petitioner Sri Dulal Bora's RTI petition dated 25-9-2017. It has been mentioned in the W/S that the original complaint petition dated 29-5-2017 as well as the RTI petition were transferred to the SPIO of the office of the DGP, Assam. His written statement is entered into the case records.
3. The gist of the case is that the petitioner filed a complaint petition dated 29-5-2017 addressed to the Additional Chief Secretary, Home Department, Govt. of Assam. In his complaint petition he alleged that IPS officer Sri Anand Prakash Tewari participated in a programme of RSS (Rashtriya Swayam Sevak Sangha) in May, 2017 in violation of Govt. Service Rules. He requested for an inquiry into the matter.
4. The petitioner followed up his complaint petition by an RTI petition dated 25-9-2017 culminating in the instant second appeal petition dated 14-5-2018. By his RTI petition the petitioner sought the following informations :-

- (a) *The number of the file from which inquiry was ordered into the allegations mentioned in his complaint petition dated 29-5-2017 and name of the Inquiry Officer with his designation;*
- (b) *Names and addresses of the persons mentioned in the complaint petition dated 29-5-2017, and*
- (c) *Photo copy of the inquiry report submitted by the Inquiry Officer to his higher authorities.*

Since the name of the accused person is already mentioned in the complaint petition, furnishing of information against point No. 4(b) is not considered necessary.

5. The AIGP (Administration) and PIO , Assam Police Headquarters has submitted a separate statement dated 25-9-2018 which is also entered into the case records. In his W/S the AIGP and PIO has stated that the required informations have already been furnished to the petitioner vide AP(H) Memo No. G(RTI).VI/354/2017/7 dated 25-9-2017. This was reiterated by Assam Police (Headquarter's) subsequent Memo No. G(RTI)/VI/354/2017/15 dated 13-6-2018.
6. From perusal of the above mentioned communications it is seen that Assam Police (Headquarters) informed the petitioner Sri Dulal Bora that his complaint petition was forwarded to the Additional DGP (CID). Assam vide Assam Police (Headquarter's ) Memo No. C-119/2016/140 dated 20-7-2017.
7. No information has been provided to the petitioner about the out come of the CID inquiry , nor has he been furnished a copy of the inquiry report as was sought for by him.
8. The SPIO of the office of the DGP, Assam is directed to inform the petitioner whether the CID inquiry has since been completed or whether it is still going on. If the inquiry has been completed, the SPIO of the office of DGP shall obtain a copy of the same and furnish it to the petitioner within 30 (thirty) days from the date of receipt of this order, or furnish an appropriate reply to the petitioner if for any of the reasons stipulated under Section-8 of the RTI Act,2005 a copy of the report cannot be furnished to the petitioner.
9. With the above order the second appeal petition dated 14-5-2018 is disposed of ex-parte.

Sd/-

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

**Authenticated true copy.**

Sd/-  
Joint Registrar  
Assam Information Commission.

**Memo No. SIC/ KP(M) 451/2018/ .**

**Dated 26-09-2018**

**Copy to :-**

1. Sri N.C.Basumatary, Joint Secretary and SPIO of Home & Political Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. The SPIO of the Office of Director General of Police, Assam Police Headquarters, Assam, Ulubari, Guwahati-7 for information and necessary action as ordered above.
3. Sri Dulal Bora, Koinadhara Tiniali, House No.-118, Khanapara, Guwahati- 781 022 for information and necessary action.
4. Computer Section for uploading in the Website.
5. Office file.
6. Order Book.

**Joint Registrar  
Assam Information Commission**