



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

Case No. : KP(M).205/2019  
Complainant/ appellant : Shri Dulal Bora  
Respondent : SPIO of Commissioner of Police, Guwahati  
Date of hearing : 15.03.2019  
Complaint/ Second : Shri H.S. Das, IAS ( Retd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**  
15.03.2019

1. The petitioner Shri Dulal Bora is absent. He has sent a written communication dated 15.3.2019 praying for re-fixation of the date of hearing due to his illness. The public authority i.e. the office of the Commissioner of Police, Guwahati City is represented by ASI Sujit Kumar Deb. The SPIO and Deputy Commissioner of Police (Admin) of the office of the Commissioner of Police, Guwahati sent a written submission dated 13.3.2019 through Shri Suit Kr. Deb. The WS is entered into the case records. The SPIO has mentioned in his WS that since the subject matter and the contents of the RTI application dated 30.7.2016 and corresponding complaint petition dated 1.7.2016 submitted by the petitioner Shri Dulal Bora before the Commissioner of Police, Guwahati do not concern the Commissionerate of Guwahati Police. The RTI petition and the complaint petition were forwarded to the Director General of Police, Assam vide his letter dated 28.7.2016.

2. From perusal of the case records it is seen that vide his complaint petition dated 1.7.2016 addressed to the Commissioner of Police, Guwahati City, the petitioner Shri Dulal Bora made mainly two allegations that : (1) an organization named KMSS led by Shri Akhil Gogoi was irregularly allotted Government land near Kaziranga National Park for establishing an Orchid Garden, and (2) that Shri Akhil Gogoi was a beneficiary of a State Government sponsored piggery scheme under which he received financial assistance of Rs. 25 lakh, and that the amount was later diverted for establishing the Orchid Garden. The petitioner Shri Dulal Bora followed up his complaint petition by an RTI petition dated 3.07.2016, first appeal petition dated 4.5.2017 and the instant second appeal petition dated 28.8.2017.

3. From the above deliberation it appears that the instant RTI application and subsequent appeal petitions do not fall within the jurisdiction of Guwahati Police. They do not seem to fall clearly under the jurisdiction of Director General of Police also. Further, another identical or more or less similar second appeal case involving the same matter seem to have been heard by the Commission and disposed of with order on an earlier occasion. The Registry of this Commission is, therefore, directed to see if there is any such case on which order was already passed. **As prayed by the petitioner next hearing is postponed till 30<sup>th</sup> April, 2019.** Appearance of SPIO of Commissioner of

Police, Guwahati in the next hearing is dispensed with. However, if any order is passed in the next hearing involving the Police Commissioner, copy of such order will be sent to the SPIO of his office.

Sd/-

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

Authenticated true copy.

Sd/-  
Registrar i/c  
Assam Information Commission

Memo No. SIC/ KP(M).205/2019/

Dated. 15.03.2019

Copy to: 1. The SPIO of the office of the Commissioner of Police, Guwahati City, Panbazar, Guwahati-1 for information.  
2. Shri Dulal Bora, kainadhara 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