



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

Case No. : KP(M).996/2017
Complainant/ appellant : Shri Dulal Bora
Respondent : SPIO of Home Department, Govt. of Assam, Dispur
Date of hearing : 18.7.2019
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
18.7.2019

1. The appellant/petitioner Shri Dulal Bora is absent. However, he has sent an e-mail dated 18th July, 2019 praying for re-fixation of the date of hearing as he is unable to attend this Commission today due to engagement with CJM Court. The public authorities are present as represented by:- (a) Shri Ramesh Methi, Under Secretary and SPIO of Home Department, Govt. of Assam (b) Shri Satkhokai Changson, Dy. S.P., CID accompanied by Shri Bibek Mazumdar, Inspector of CID.
2. The SPIO of the Chief Secretary's office sent two written statements dated 2nd July, 2019 and 15th July, 2019, which are entered into the case records. The gist of the WSs is that the RTI petition dated 9.8.2016 as well the first appeal petition dated 16.5.2017 were transferred to the Home Department. The SPIO of the Political Department also submitted a separate WS dated 4th July, 2019 stating that the instant RTI petition as well as the complaint petition dated 27.6.2016 with reference to which the RTI petition filed was transferred to Home Department. The SPIO of Home Department submitted that the RTI petition was transferred to the SPIO of the office of the Addl. DGP, CID. His written statement dated 4th July, 2019 is also entered into the case records. The Special Superintendent of CID submitted a copy of his letter dated 16th July, 2019 addressed to the appellant Shri Dulal Bora informing him that his complaint petition dated 27.6.2016 was forwarded to the Addl. DGP (A), Assam Police Headquarters vide letter dated 20.9.2016.
3. From the above it is seen that the responsibility for furnishing the sought for informations in respect of the RTI petition dated 9.8.2016 rests with the SPIO of the office of the DGP, Assam/Addl. DGP(A), Assam Police Headquarters.
4. The gist of the matter is that the petitioner Shri Dulal Bora filed a complaint petition dated 27.6.2016 before the Chief Secretary to the Govt. of Assam against Shri Dilip Dutta, who was earlier Inspector in the CID, Assam Police and he was also working as Dy SP in the Special Branch of Assam Police at the time of filing the RTI petition. The relief sought in the complaint petition is to take administrative action against Shri Dilip Dutta on the basis of the allegation made in the complaint petition. The petitioner Shri Dulal Bora vide an RTI petition dated sought the following informations:-

- (a) the file No. from which inquiry was ordered, the name of the Inquiring Officer and present posting of the Inquiring Officer,
- (b) names and addresses of the accused persons, and
- (c) copy of the Inquiry report.

5. This Commission notes that information with regard to point No. 4(b), i.e., the names and addresses of the allegedly accused persons have been mentioned by the petitioner himself in his original petition dated 27.6.2018. Therefore, this part of the RTI petition appears to be redundant.

6. It appears from the 16th July, 2019 letter of Spl. SP, CID referred to above that the matter is pending for nearly three years with the Addl. DGP(A), Assam Police Headquarters, Ulubari, Guwahati. The Dy.SP, CID submitted orally that as per his knowledge, DP has been drawn up against Shri Dilip Dutta, former Inspector, CID. The SPIO of the office of the DGP, Assam is therefore, directed to furnish the required informations against 4(a) and 4(c) above to the petitioner within 30 days from the date of receipt of this order.

With the above order, the second appeal petition dated 24.7.2017 read with the RTI petition dated 9.8.2016 is disposed of.

Sd/-

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

Authenticated true copy.



Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M).996/2017/

Dated. 18.7.2019

- Copy to:
1. The Under Secretary and SPIO of Home (A) Department, Govt. of Assam, Dispur, Guwahati-6 for information.
 2. The SPIO of the office of the Director General of Police, Assam Police Headquarters, Ulubari, Guwahati-7 for information and necessary action.
 3. Shri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
 4. Computer Section for uploading in the Website.
 5. Office File.
 6. Order Book



Registrar i/c
Assam Information Commission