



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No. : SIC/DBR.10/2021
Complainant/ appellant : Sri Vijay Pandey.
Respondent : SPIO, O/o the Superintendent of Police, Dibrugarh.
Date of hearing : 07.04.2021
Complaint/ Second : Dr. A.P. Rout.
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R

07.04.2021

1. The petitioner Sri Vijay Pandey is absent. However, he has sent an email stating that he is unable to attend the hearing because of his illness and requested for re-fixation of the date of hearing. His email is not accompanied by any medical certificate. Further, it is not mandatory on the part of the appellant to present at the hearing.

2. The public authority i.e. the SPIO of the Office of the Superintendent of Police, Dibrugarh is absent. However, the Superintendent of Police Dibrugarh & PIO has sent written statement dated 6.4.2021 which is taken into records.

3. Since the written statement is already received from the PIO, the second appeal petition dated 15.2.2021 is taken up for hearing.

4. On perusal of the case records, it is seen that the petitioner Sri Vijay Pandey filed RTI petition dated 28.9.2020 before the SPIO cum Addl. S.P. (HQ), O/o the SP, Dibrugarh seeking following information:

(i) Please provide the certificate copy of all General Diary Entry recorded at Dibrugarh PS and Gabharupathar Police Out Post in connection with Dibrugarh PS Case No. 571/2020.

(ii) Please provide the name, address, mobile/phone no. with the email address of the appellant authority to this application.

5. The SPIO has replied to his RTI petition vide letter No. 16686/2020 dated 22.10.2020 stating that the information is exempted under Section 8(1)(h) of the RTI Act, 2005.

6. Reportedly being not satisfied with the reply the petitioner submitted first appeal petition dated 27.10.2020 before the First Appellate Authority. The First Appellate Authority vide letter No. 18972/2020 dated 3.12.2020 invited the petitioner for the hearing on 4.12.2020. It is not known whether the appellant was present or not.

7. However, the appellant filed second appeal petition dated 15.2.2021 before the Commission under Section 19(3) of the RTI Act.

The SP Dibrugarh mentioned in the written statement that the information is respect of Point No. 1 of his RTI petition is exempted under Section 8(1)(h) of the RTI Act, 2005 and reply in respect of Point No. 2 is already provided to him.

The Commission agrees with the written statement and disposed the second appeal petition dated 15.2.2021.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Joint Registrar i/c
Assam Information Commission

Memo No. SIC/ DBR.10/2021

Dtd. 07.04.2021

Copy to:

1. The Superintendent of Police & PIO, O/o the Superintendent of Police, Dibrugarh, Assam, Dist- Dibrugarh, PIN-786001 for information.
2. The First Appellate Authority, O/o the Superintendent of Police, Dibrugarh, PO- Dibrugarh PIN-786001 for information.
3. Sri Vijay Pandey, Chapori Path, Chiring Chapori, P.O & Dist- Dibrugarh PIN-786001 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Joint Registrar i/c
Assam Information Commission