

ASSAM INFORMATION COMMISSION**JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/KP(M)239/2021
Complainant/ Appellant : Sri Joydeb Das
Respondent : SPIO of Directorate of Vigilance & Anti-Corruption, Guwahati
Date of Hearing : 30/09/2021
Complaint/ Second Appeal heard by : Dr. A.P.Rout,
State Chief Information Commissioner, Assam

O R D E R
30/09/2021

1. The petitioner Sri Joydeb Das is present. The petitioner has filed his RTI application on 12.4.2021 before the PIO of Directorate of Vigilance & Anti-Corruption, Srimantapur, Guwahati 781032. On non receipt of any information, the petitioner filed 1st appeal before the First Appellate Authority of Directorate of Vigilance & Anti-Corruption, Assam on 17.5.2021.
2. In reply to the 1st appeal petition, the First Appellate Authority of Vigilance & Anti-Corruption has sent a letter dated 23.7.2021 wherein it was mentioned that they cannot provide a copy of the letter as the preliminary enquiry is discreet/confidential in nature as per provision of Section 8(g) of RTI Act, 2005.
3. The petitioner then filled 2nd appeal before the Commission on 3.8.2021 and accordingly the matter was taken up for hearing today.
4. The Public Authority to be represented by SPIO of the Directorate of Vigilance & Anti-Corruption is absent. However, the First Appellate Authority i.e., the Deputy Inspector General of Police of Directorate of Vigilance & Anti-Corruption has submitted a written statement dated 24.9.2021 which is taken into records.
5. Provision of Section 8(g) of the RTI Act, 2005 is as follows: -
Information, the disclosure of which would endanger the life or physical safety of any person or identify the source of information or assistance given in confidence for law enforcement or security purposes.
6. The Commission in partially agreeing with the reply furnished by the First Appellate Authority orders that the SPIO need not furnish the copy of the letter. However, the date of correspondence seeking approval if any to be furnished to the petitioner so that the transparency (which is the core issue of the provision of the RTI Act, 2005) in functioning of the department can be maintained at the eyes of the public more so in the eyes of the petitioner.
7. The case is disposed off.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Copy to:

1. The SPIO of the Office of the Directorate of Vigilance & Anti-Corruption, Srimantapur, Guwahati Assam 781032 for information and compliance as ordered above.
2. The First Appellate Authority, O/o the Vigilance & Anti-Corruption, Srimantapur, Guwahati Assam for information.
3. The petitioner Sri Joydeb Das, S/O Lt. Karunamoy Das, H.No.16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Secretary & Registrar
Assam Information Commission