



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/KP(M).166 /2021
Appellant : Sri Bikash Bucha
Respondent : The SPIO, o/o the Political Deptt., Govt. of Assam
Date of hearing : 27.09.2021
Second Appeal heard by : Sri Kanak Ch. Sarma
State Information Commissioner, Assam

O R D E R

27.09.2021

The appellant Sri Bikash Bucha is present.

Sri Tapash Gupta, Under Secretary to the Government of Assam and SPIO, Political (A) Deptt. is present and submits a written statement vide letter no. PLA(V)77/2021/43 dated 24.09.2021. It is submitted that Political (Vigilance Cell) Department, Government of Assam has issued a letter to the Superintendent of Police, Vigilance & Anti-Corruption, Assam according approval to register a criminal case against Sri Anamul Haque, the then Chief Engineer, Irrigation Department (now retired) vide letter no. PLA(V)/146/2010/148 dated 01.11.2019 copy of which is forwarded for the second time along with the letter dated 25.06.2021. It is also submitted that investigation is going on and as such, informations sought can't be furnished at present as per Section 8(1)(h) of RTI Act, 2005 since it may impede the process of investigation or apprehension or prosecution of offenders. Although it is submitted that investigation is going on, the SPIO fails to submit any document establishing registration of criminal case against the suspected officers. **The Commission therefore, directs the SPIO of Political (A) Department, Government of Assam to submit written statement with documents that a criminal case has been registered and investigation is going on within 15 days of receipt of this order.**

Fix next date of hearing on 22.10.2021 at 11:30 AM. This order shall constitute notice for hearing.

Sd/-

(Kanak Ch. Sarma)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Secretary & Registrar
Assam Information Commission

Copy to:

1. Shri Tapash Gupta, Under Secretary & SPIO, Political Department, Govt. of Assam, Dispur, Guwahati- 6 for information and necessary action. He is directed to present his case personally on next date of hearing.
2. First Appellate Authority/Home & Political Department, Govt. of Assam, Dispur, Guwahati- 6 for information.
3. The appellant, Sri Bikash Bucha, Flat No. T-5C, Protech Park, Hengrabari, Guwahati- 781 036 for information. He is directed to present his case personally on next date of hearing.
4. Computer Section for uploading the order in the Website.
5. Office File.



Secretary & Registrar
Assam Information Commission