

Case No. :SIC/KP(M) 384/2021
Complainant/ Appellant : Joydeb Das
Respondent :SPIO, O/o the Director General of Police, Ulubari,
Guwahati
Date of Hearing :12/01/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
12/01/2022

1. The petitioner Sri Joydeb Das is present. The petitioner has filed his RTI petition on 5.10.2021 seeking following information from PIO, Director General of Police, Ulubari:-
 - (a) Whether Sri R. Chandranathan, IPS presently posted in Meghalaya as DG, retained Government quarter in 4th APBN from August,2018 to till date if yes, please furnish the following details:
 - Please furnish who given approval for retaining Government quarter.
 - Has the quarter given to him monthly rental basis if yes, please furnish an amount of rent per month and total amount paid for rent and details of electricity bill paid till date.
 - If the quarter not given him to monthly rental basis, please furnish under which Government procedure he occupied the quarter.
 - Has the any penal rent recovered due to occupancy of quarter by him after transfer of six months (i.e., 1st February 2019 to till date). If yes, please furnish in details of total amount recovered.
 - If no any penal rent recovered from him, please furnish reason thereof.
 - Please furnish whether any Assam Police vehicle attached with him if yes, please furnish vehicle number with details of monthly expenditure for Fuel, Driver and maintenance (i.e., 1st February 2019 to till date.)
 - Please furnish number of Police Man and Class IV employee are attached with him and details of their monthly salary (i.e., 1st February,2019 to till date).
2. The i/c SPIO i.e., Deputy Inspector General of Police (A), Ulubari vide his letter no. G(RTI)/VI/128/2021/3 dated 30.10.2021 replied to the petitioner that information could not be provided u/s 8(g) of the RTI Act, 2005 for security reasons.
3. On not being satisfied with the reply, the petitioner filed a complaint petition before the Commission on 30.11.2021 and accordingly the matter was taken up for hearing.
4. The petitioner has submitted a written prayer before the Commission to convert his complaint petition into 2nd appeal petition and to provide him the information. Further he submitted a prayer to link the case with case No. KP(M) 376/2021.
5. The Public Authority is represented by Sri Ashim Kumar Dey, Deputy S.P., Assam Police Headquarters, Ulubari Guwahati.
6. The Commission accepts to convert the complaint petition into 2nd appeal, but does not approve linking it with another case due to procedural issue.
7. The SPIO i/c reiterated the same plea as point no.2 supra as the information about senior officer will affect the security of the senior officer.
8. The petitioner claimed that through his RTI petition he wanted to expose misuse of official power, corruption, wastage of Government money and Government

resources particularly when the Government is taking vigorous steps to stop crime i.e., Stoppage of illegal cattle trade, drug smuggling, and other illegal activities like sale of illicit liquor and practice of “teer” etc. The information is sought in public interest as tax payers money is misused/ wasted. Further such information in no way will compromise the security of the officer and will not come under section 8(1)(g) of the RTI Act 2005.

The petitioner also emphasized that he has not asked any information on PSO House Guard, Escort and their weaponry, issue of bullet proof jackets, issue of bullet proof vehicles etc which are the components of security and may hit the provision of Section 8(1)(g) of the RTI Act, 2005.

9. After careful examination of the stand of SPIO, the petitioner and the provision of Section 8(1)(g) of the RTI Act, 2005, the Commission decides that alleged unauthorized stay in allotted Government quarters, non payment of electricity dues, use of Government vehicles, use of non-security personnel (Police personnel, Class IV personnel, Contingency personnel etc) will not come under exemption of Clause 8(1)(g) of the RTI Act, 2005.

Hence, the SPIO is directed to furnish the information to the petitioner within seven days.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).384/2021

Dtd. 12.1.2022

Copy to:

1. The SPIO, O/o the Director General of Police, Ulubari, Guwahati 781007 for information and necessary action.
2. Sri Ashim Kumar Dey, SPIO i/c & Deputy S.P., Assam Police Headquarters, Ulubari, Guwahati 781007 for information.
3. The SPIO, O/o the Commandant, 4th Assam Police Battalion, Kahilipara, Guwahati 781019 for information. This as reference to Case No. KP(M)376/2021 as prayed by the petitioner.
4. The petitioner Sri Joydeb Das, S/O Lt. Karunamoy Das, H.No.16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati 25 for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Secretary & Registrar
Assam Information Commission