



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/KP(M).2066/2019  
 Appellant : Sri Joydeb Das  
 Respondent : The SPIO, O/o the Addl. Director General of Police (CID),  
 Ulubari, Guwahati- 7  
 Date of hearing : 07.09.2021  
 Second Appeal heard by : Sri Kanak Ch. Sarma  
 State Information Commissioner, Assam

**O R D E R**  
 07.09.2021

The appellant Sri Joydeb Das is present.

The Special Superintendent of Police, CID, Assam has submitted a written statement vide letter no. CID/Cell-XIX(RTI)/54/2020/3463 dated 06.09.2021.

Seen the order of the Commission dated 11.08.2021. The SPIO of CID, Assam was directed to submit a written statement. Accordingly, the SSP, CID, Assam informed that the complaint of the appellant Shri Joydeb Das was received from the Chief Minister's Secretariat, Government of Assam and the inquiry report has already been submitted to the then Secretary, Government of Assam, CM Secretariat. He further informs that Criminal Investigation Department (CID) Assam is exempted from the purview of RTI Act, 2005 vide Government of Assam notification no. PLA.384/2005/54 dated 08.03.2006 and as such, no further information can be furnished to the appellant and the same has already been communicated to him (the appellant) vide letter no. CID/Cell-XII/RTI/Vol-VIII/2019/2819 dated 03.08.2019.

Seen the case record. The appellant submitted 2<sup>nd</sup> appeal under section 19(3) of the RTI Act, 2005 before the Commission on 19.11.2019. He submitted an application dated 17.08.2019 before the SPIO, o/o the ADGP, CID, Assam seeking certain informations. The SPIO, o/o the ADGP, CID, Assam vide its letter no. CID/Cell-XII/RTI/Vol-VIII/2019/2819 dated 03.08.2019 informs the appellant that this organization is exempted from the purview of RTI Act, 2005 as per Section 24(4) of the Act. Being aggrieved, the appellant submitted 1<sup>st</sup> appeal petition dated 14.10.2019 before the 1st appellate authority of ADGP, CID, Assam. The FAA also informs the appellant through letter no. CID/Cell-XII/RTI/Vol-VIII/2019/2408 dated 14.11.2019 that the organization is exempted from the purview of RTI Act, 2005 as per Section 24(4) of the Act. The appellant received the sought for informations neither from the SPIO nor from the FAA as because the organization is stated to be exempted from the purview of RTI Act, 2005. Therefore, he preferred 2<sup>nd</sup> appeal before the Commission. The SSP, CID, Assam submits that the complaint of the appellant was received by the office of the ADGP, CID, Assam and the matter has been inquired into and the report thereon has been submitted to the then Secretary of CM's Secretariat. It is also submitted that no further informations can be furnished to the appellant as the organization is exempted from the purview of RTI Act, 2005.

Since the sought for informations relates to an action taken on a complaint submitted to the Hon'ble Chief Minister of Assam which was forwarded by the office of the CM's Secretariat to the o/o the ADGP, CID, Assam and as the matter relates to an inquiry and as the organization of CID, Assam is exempted from the purview of RTI Act, 2005 under section 24(4) vide notification no. PLA.384/2005/54 dated 08.03.2006, as such, the decision of the SPIO as well as the FAA of ADGP, CID, Assam is upheld.

The 2<sup>nd</sup> appeal dated 19.11.2019 is disposed of.

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


Authenticated true copy

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).2066/2019**  
Copy to:

**Dtd.07.09.2021**

1. The Addl. Director General of Police (CID), Ulubari, Guwahati- 7 for information.
2. The SPIO, O/o the Addl. Director General of Police (CID), Ulubari, Guwahati- 7 for information.
3. The First Appellate Authority/office of the Addl. Director General of Police (CID), Ulubari, Guwahati- 7 for information.
4. The Appellant, Sri Joydeb Das, S/o- Lt. Karunamoy Das, H/No.- 16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati- 781 025 for information.
5. Computer Section for uploading the order in the Website.
6. Office File.

  
Secretary & Registrar  
Assam Information Commission