

**Case No.** : SIC/DRN.56/2021  
**Complainant/ Appellant** : Mati Ram Nath  
**Respondent** : SPIO/O/o the Superintendent of Police,  
Darrang, Mangaldai, Assam  
**Date of Hearing** : 02/03/2022  
**Complaint/ Second** : Dr.A.P.Rout  
**Appeal heard by** : State Information Commissioner, Assam

**O R D E R**  
**02/03/2022**

1. The petitioner Sri Mati Ram Nath has submitted one RTI petition before the PIO, O/o the Superintendent of Police, Darrang, Mangaldai on 1.9.2021 seeking information on action taken against the FIR dated 2106.2021 at Sipajhar P.S by Bipul Chandra Sharma and others and the case registered against the same.
2. On non receipt of any information, the petitioner filed 1<sup>st</sup> appeal before the 1<sup>st</sup> Appellate Authority, O/o the Superintendent of Police, Darrang, Mangaldai on 18.10.2021 and then he filed 2<sup>nd</sup> appeal before the Commission on 23.11.2021.

Accordingly, the matter was taken up for hearing.

3. The petitioner Sri Mati Ram Nath is present.
4. The Public Authority is represented by Sri Rupam Phukan, APS, Addl. SP (HQ), Darrang.
5. On perusal of the records, it is seen that the petition was transferred to Sipajhar Police Station, and SI Hrishikesh Thakuria, Sipajhar Police Station submitted a report to SP Office, Darrang, Mangaldai which was forwarded to the petitioner on 16.11.2021.

In the report, SI Hrishikesh Thakuria mentioned that

- (a) Reply to point no.1 of the RTI petition is false.
- (b) Reply to point No. 2 – Interrogated giving notice under 41A CrPC.
- (c) Reply to point No.3 – Action not yet taken.
- (d) Reply to point No.4 – Some documents are ceased.
- (e) Reply to point No.5 – No receipt and O.C has not got sufficient evidence so far to arrest.
- (f) Reply to point No.6 – He has given the names of the Interrogating Officer.

6. In the meantime, the SPIO has submitted a written statement dated 25.2.2022 stating that the petition is not in consonant with the RTI petition as it does not relates to any information which can be given and he has further mentioned that question no.3 and 5 of the RTI petition relates to investigation of the case, and hence the information cannot be given to the petitioner at this stage, as it will affect the investigation.

He has further mentioned that the petitioner's action is malafide and to harass the public authority.

7. The Commission asked the petitioner to state his points. The petitioner has mentioned that he is acting on public interest as there was quarrel between two parties and one party has filed against the other for giving money of Rs 5 lakhs each in the account for which an action is to be taken immediately.
8. The Commission after going through the reply of the petitioner and reply of OC as well as SPIO, O/o the Superintendent of Police, Darrang, Mangaldai comes to the conclusion that question no.1 of the RTI petition does not come under RTI Act,2005 and information to the extent possible is already given by the SPIO. Further, information during the stage of investigation is exempted under 8(1)(h) of the RTI Act,2005.

The Commission agreed with the information furnished and disposes the case.

9. Since tone and tenure of the RTI petition is more of complaint nature, the petitioner can take recourse to the remedial measures available at proper forum.  
Authenticated copies to be given to all concerned.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/DRN 56/2021**

**Dtd. 2.3.2022**

Copy to:

1. The SPIO, O/o the Superintendent of Police, Darrang, Mangaldoi, Assam for information.
2. The petitioner Sri Mati Ram Nath, S/o Lt. Dusto Ram Nath, Gharoba Sonapur, P.O. Dhekipara, Darrang, 784145 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Secretary & Registrar  
Assam Information Commission