

**OFFICE OF THE ASSAM STATE INFORMATION COMMISSION  
JONAKEE COMPLEX, PANJABARI, GUWAHATI-37**

**Appeal Case No:** KP(M)458/2013

<b>Appellant:</b>	<b>Shri Hari Narayan Pathak Padum Pukhuri, Uzanbazar, Guwahati</b>
<b>Public Authority:</b>	<b>Mrs. N. Dutta, SPIO &amp; Deputy Secretary Govt. of Assam, Industries &amp; Commerce Deptt Dispur.</b>
<b>Heard by:</b>	<b>Shri Himangshu Sekhar Das, Assam State Chief Information Commr.</b>
<b>Appellant was Represented by:</b>	<b>Self.</b>
<b>Public Authority was represented by</b>	<b>Mrs. N. Dutta, SPIO &amp; Deputy Secretary</b>

**O R D E R  
10-2-2015**

The petitioner/appellant Shri Hari Narayan Pathak is present.

The Public Authority is represented by Mrs. N. Dutta, ACS, Deputy Secretary and SPIO, Industries and Commerce Department. She has made a written submission which has been entered into the case record.

The First Appellate Authority Sri R.P. Das, Joint Secretary to the Government of Assam, Industries and Commerce Department could not attend, as he is out of station on Municipal and Town Committee election duty. He has also made a written submission to this effect which is accepted.

In response to the original RTI petition dated 28<sup>th</sup> April, 2011, the SPIO vide her letter dated 3<sup>rd</sup> May, 2011 informed the appellant/ petitioner without a copy of the Assam Govt. Gazette containing Industries and Commerce Department's Notification No. CI.81/2010/21 dated 29-4-2010, as this is not available in the department. She had, however, given him a Draft copy of the said Notification. The petitioner wants a copy of the published Gazette Notification. It is seen that at Sl. No. 8 of that Notification, a copy of the Notification was given to the Deputy Director, Assam Govt. Press for publication. Industries and Commerce Department is expected to have a copy of the Official Gazette containing their own Notification. The SPIO is therefore, directed to obtain a copy of the relevant Assam Govt. Gazette Notification from the Assam

Govt. Press and **submit a copy of the same to the petitioner within 10 days from the receipt of this order.**

Regarding point No. 2 of the RTI petition the petitioner said that vide letter No. CI.68/2011/20 dated 9<sup>th</sup> August, 2011 the SPIO had given the petitioner the complaint petition without the Annexures. He has also not been given the report of the Inquiry Officer and the final order of the Disciplinary Authority. The SPIO is directed to give these informations to the petitioner/appellant **within 10 days from the date of receipt of this order.**

On point No. 3 the SPIO vide their letter dated 3<sup>rd</sup> May, 2011 had already advised the petitioner/ appellant that he can inspect the relevant file on any working day with prior intimation to the Superintendent Sri N. Saikia. When I asked the appellant on which dates he went to meet the Superintendent Sri N. Saikia and he was refused inspection of the file, the appellant could not give any date or specific instance. Therefore his third point is rejected and **he is given 10 days' more time from today for inspection of the relevant office records/ file**, for which the SPIO and the Superintendent Sri N. Saikia will cooperate with him

Sd/-

**(H. S. Das)**

**Assam State Chief Information Commissioner  
Panjabari, Guwahati-37**

**Authenticated True Copy.**

Sd/-

**Secretart and Registrar  
Assam State Information Commission.**

**Memo No.SIC/\_KP(M)458/2013/**

**10-2-2015**

**Copy to:**

1. Mrs. N. Dutta, SPIO & Deputy Secretary to the Govt. of Assam, Industries & Commerce Deptt., Dispur Guwahati-6 for information and necessary action.
2. The First Appellate Authority Sri R.P. Das, Joint Secretary to the Government of Assam , Industries and Commerce Department, for information & necessary action.
3. Shri Hari Narayan Pathak, Appellant, Padum Pukhuri, Uzanbazar, Guwahati for information and necessary action.
4. Computer Section for uploading in the Website.
5. Office file.

**Secretary and Registrar  
Assam State Information Commission, Panjabari  
Guwahati-37**