

**OFFICE OF THE**  
**ASSAM STATE INFORMATION COMMISSION**  
**JONAKEE COMPLEX, PANJABARI, GUWAHATI-39**

Complaint Case No: CCR.28/2013

Complainant : Md. Selimuddin Choudhury  
Vill- Karaikandi Pt. II, PO- Rajartilla,  
Dist- Cachar, Assam PIN 788805

Public Authority: General Manager ( commercial), ASEB, APDCL  
Guwahati

Heard by: Shri Himangshu Sekhar Das,  
Assam State Chief Information Commr.

Complainant was  
Represented by: Md. Salimuddin Choudhury

Public Authority was  
represented by Shri Biswajit Kar,  
Asstt. General Manager, ASEB, APDCL,  
Hailakandi

**O R D E R**  
**27.3.2015**

Md. Selimuddin Choudhury, the complainant is present. The Public Authority is represented by Shri Biswajit Kar, Asstt. General Manager, ASEB, APDCL, Hailakandi. The complaint petition dtd 4.2.2013 is taken up for hearing in presence of both the parties.

The original RTI petition dtd 28.9.2012 was addressed to the General Manager, ASEB, APDCL. On 26.10.2012 ASEB, Silchar Electrical Division- II furnished a list of information to the RTI applicant Md. Selimuddin Choudhury, which is available in the case record. It is seen that there is no ambiguity in the information furnished by the AGM, Silchar Electrical Division-II of APDCL. However, the complainant referred to point No. 4 of his RTI application which the AGM, ASEB, APDCL refused to provide on the ground that the matter is subjudice of the Hon'ble Gauhati High court.

The commission is of the view that under the RTI Act, 2005 the Public Authority cannot withhold this information from the RTI applicant. The Commission therefore, directs the SPIO in the office of the Asstt. General manager, ASEB, APDCL, Silchar Electrical Division-II to furnish the information to the applicant within 15 ( fifteen) days

from the date of receipt of this order. The authority with whom the information is presently available shall hand over the same to the SPIO immediately.

With the above order the second appeal petition is disposed of.

(H. S. Das)  
Assam State Chief Information Commissioner,  
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar  
Assam State Information Commn.

Memo No. CCR.28/2013/

Dtd. 27.3.2015

Copy to:

1. The General Manager, ASEB, APDCL, Bijuli Bhawan, Paltan Bazar, Guwahati- 781 008 for information and necessary action.
2. The SPIO & Asstt. General Manager, ASEB, APDCL, Silchar Electrical Division-II, Silchar, Dist. Cachar for information and necessary action.
3. Md. Selimuddin Choudhury, Vill-Karaikandi Pt-II, PO-Rajartilla, Dist. Cachar, Assam, PIN- 788805
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar  
Assam State Information Commission