



**OFFICE OF THE  
ASSAM STATE INFORMATION COMMISSION  
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : **KP(M).638/2013**

Complainant/ appellant : **Sri Hari Narayan Pathak**

Respondent : **Industries and Commerce Department**

Date of hearing : **02-01-2016**

Complaint/ Second appeal heard by : **Shri H.S. Das, IAS ( Retd)  
Chief Information Commissioner, Assam**

**O R D E R**

The appellant/ petitioner Sri H. N. Pathak is present. The public authority is represented by Sri Mridul Kr. Mahanta, ACS, Joint Secretary and SPIO, Industries and Commerce Department

The second appeal petition dated 20-9-2013 is taken up for further hearing pursuant to this Commission's order dated 15-12-2015 in presence of both the parties.

The appellant produced before this Commission photo copies of Note Sheets of Political Departments' file No. PLA(V)13/97/1997 on the subject "Allegation of corruption on allotment of paraffin wax", which he obtained from Political (Vigilance and Cabinet Cell) Department by filing another RTI application. At page No. 7 of the Note Sheet dated 10-7-1998 it was recorded that Industries Department had reported that the file No. MI.234/86 might have been mis-placed during 1992 and could not be traced out. Since Industries & Commerce Department had admitted that the File No. MI.234/86 could not be traced out and since the same information was communicated to the appellant, it is now for the Industries and Commerce Department to initiate further necessary action under the Public Records' Act, 1993 to trace out the said file and for the appellant to pursue the matter, if he likes to do so, in whichever manner he may choose.

In the same page-'7' of Political (Vigilance and Cabinet Cell) Departments file No. PLA(V)13/97, reference has also been made to Letter No. CI.515/96/109 dated 22-6-1998 from the Deputy Secretary, Industries to the Political Department. In the absence of missing File No. MI.234/86, the appellant now desires to see file No. CI.315/96, where some record of action taken by the Industries and Commerce Department on Political Department's letter No. PLA(V).13/97/17 dated 21-5-1998 may be found.

This Commission, therefore, directs the SPIO and Deputy Secretary of Industries and Commerce Department to allow the appellant to inspect file No. CI.315/96 during office hours on any working day within 15 days from the date of receipt of this order and allow him to take notes and photo copies of relevant documents required by him free of cost up to 20 copies and thereafter on payment of Rs. 2/- for every additional page of photo copy

If, no record of action taken on letter No. PLA(V).13/97/17 dated 21-5-1998 is found in File No. CI.315/96, then the appellant may file separate request before the Commissioner & Secretary, Industries and Commerce Department to take necessary action on that letter afresh.

With the above order the second appeal petition dated 20-9-2013 is disposed of.

**Sd/-  
(H. S. Das)  
Assam State Chief Information Commissioner,  
Panjabari, Guwahati**

**Authenticated true copy.**  
**Sd/-**

**Secretary & Registrar**  
**Assam State Information Commission**

Memo No. **KP(M).638/13 / -A**

**Dtd. 2-1-2016**

Copy to:,

1. Sri Mridul Kr. Mahanta, ACS, Joint Secretary and SPIO, Industries and Commerce Department for information and necessary action.
2. Sri H. N. Pathak, Padum Pukhuri, Uzanbazar, Guwahati-1 for information
3. Computer Section for uploading in the Website.
4. Office File.

**Secretary & Registrar**  
**Assam State Information Commission**