



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

Case No. : **KP(M)35/2013**
Complainant/ appellant : **Sri Dwipen Goswami**
Respondent : **G.A.Department.**
Date of hearing : **28-01-2016**
Complaint/ Second appeal heard by : **Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri Dwipen Goswami is present. The public authority is represented by Sri Guru Dutta Laskar, Joint Secretary & SPIO, General Administration Department and (2) Smti Amrita Baruah Singh, Sr. Administrative Assistant, GAD (A) Department.

The second appeal petition dated 19-10-2012 is taken up for further hearing in pursuance of earlier order dated 18-12-2015 of this Commission.

The SPIO of GAD has made a written submission dated 22nd January, 2016, enclosing a copy of letter dated 3rd January, 2016 from the Director of Archives , Assam stating that the report of the Kohli Commission, which was constituted in the year 1974 is not available in the State Archives. Being more than 20 years old the Kohli Commission Report does not strictly fall within the ambit of the RTI Act, 2005, However, documents like the Kohli Commission Report fall within the category of permanent records in terms of State Govt's own Record Manual. It is, therefore, expected that such an important document should be available with the State Govt.. This Commission, therefore, directs the SPIO of GAD to consult (1) Deputy Commissioner, Kamrup (Metro), (2) Commissioner, Lower Assam Division and (3) Revenue and Disaster Management Department, who is yet to respond to GAD's letter dated 1st January, 2016

A copy of this order be forwarded to the Chief Secretary to the Govt. of Assam for his information and appropriate action, if necessary under the Central law of Public Records Act, 1993.

Fix **5th March, 2016 at 11.30 A.M** for the next hearing. Issue notices to all the concerned parties.

**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).35/2013/ -A
Copy to:**

Dtd. 28-1-2016

1. Chief Secretary to the Government of Assam, Dispur, Guwahati-781 006 for kind information.
2. Sri. Guru Dutta Laskar, Joint Secretary & SPIO, General Administration Department for information and necessary action.
3. Sri Dwipen Goswami , C/o Jaya Bhattacharya, Nabagiri Road, Near Ambika Nagar Park, House No-19, Chandmari, Guwahati-3 for information.
4. Computer Section for uploading in the Website.
- 5` Office File.

**Secretary & Registrar
Assam State Information Commission**