



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

Case No. : **KP(M) 455/2013**

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

Respondent : **Directorate of Welfare of Scheduled Caste, Assam**

Date of hearing : **09-03-2016**

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

**O R D E R**

The petitioner Sri Hari Narayan Pathak is present. The public authority is represented by (1) Sri Rameswar Borah, ARO and SPIO , Directorate of Welfare of Scheduled Caste and (2) Sri Dinesh Ch. Baishya, R.A of the same Directorate..

The complaint petition dated 04-07-2013 filed by the petitioner Sri H. N. Pathak is taken up for hearing.

When asked by this Commission whether the petitioner is still interested in getting the information sought for, he replied in the affirmative and submitted a written statement to that effect . As such he has requested for conversion of his RTI petition dated 4-7-2013 into a second appeal petition.

His prayer is granted and the complaint petition dated 4-7-2013 is taken up for hearing as a second appeal petition in presence of both the parties.

From perusal of the case records it is seen that Sri H. N. Pathak filed an RTI petition dated 24-9-2011 addressed to the SPIO of the Directorate of Welfare of Scheduled Caste , Assam requesting for photo copy of an Agreement dated 23-3-1995 between the Directorate and the President of Asom Anusuchit Jati Parishad regarding construction of Ambedkar Bhawan at Padumpukhuri, Uzanbazar, Guwahati. He also requested for information regarding (1) the total cost of construction of the said Bhawan, (2) total amount received by the Directorate for construction of the said Bhawan with supporting documents such as (i) sanction letter (ii) utilization certificate (iii) whether any fund received from the Government for renovation, annual repairs etc. of the said Bhawan and (iv) Number and subject of each office file relating to the said Bhawan from 1-4-1990 to 31-3-2009.

It is seen from the records that the Director, Welfare of Scheduled Caste , Assam replied to the petitioner Sri H. N. Pathak vide letter dated 3-3-2012 that the file wherein the first Agreement was made on 23<sup>rd</sup> March, 1995 could not be traced out. He also mentioned that efforts were being made to trace out the file. The SPIO and APIO has deposed before this Commission today that they have not been able to trace out the file. The petitioner Sri H. N. Pathak submitted that he was furnished by the Directorate of Welfare of Scheduled Caste, Assam a photo copy of another Agreement dated 23<sup>rd</sup> February, 2004 entered between the Director of Welfare of Scheduled Caste , Assam and the President of Assam Anusuchit Jati Parishad, Guwahati, which was entered into in pursuance of the earlier Agreement dated 23-3-1995 , copies of which the petitioner wanted.

From the above, it is clear that there did exist an Agreement dtd 23-3-1995 between the two parties mentioned above and it is an admissible document under the proviso of the RTI Act, 2005.

This Commission, therefore, directs the SPIO of the Directorate of Welfare of Scheduled Caste to find out the said Agreement and furnish a copy of the same to the petitioner within 30 days from the date of receipt of this order.

The petitioner Sri Pathak has also submitted in writing that he is not interested in any other information except for the copy of the Agreement dated 23-3-1995

With the above order, the second appeal petition dated 4-7-2013 is disposed of.

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

**Authenticated true copy.**

**Registrar**  
**Assam Information Commission**

**Memo No.SIC/KP(M)/ 455/2013    -A**

**Dtd. 9-3- 2016**

1. Sri Sri Rameswar Borah, ARO and SPIO , Directorate of Welfare of Scheduled Caste for information and necessary action, as ordered above.
2. Sri H. N. Pathak,, Padumpukhuri, Uzanbazar, Guwahati-1 for information and necessary action.
3. Computer Section for uploading in the Website.
4. Office File.

**Registrar**  
**Assam Information Commission**