



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

Case No. : KP(M). 658./2013
Complainant/ appellant : Shri Joydev Das
Respondent : Commissioner of Taxes, Assam
Date of hearing : 24. 2.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
24.2.2016

The petitioner Shri Joydev Das is absent without information. The Public Authority is represented by Shri Sandeep Chanda, Superintendent of Taxes, Guwahati, Unit-D.

In compliance of this Commission's order dtd 29.12.15 Shri P.K. Sinha, Asstt. Commissioner of Taxes, Guwahati, Unit-D has sent a written communication dtd 15.2.16 which is entered into the case records.

In his written communication, the Asstt. Commissioner of Taxes has mentioned that the petitioner Shri Joydev Das was given a notice on 2.2.16 inviting his written reply within 10 .2.16 as to how public interest will hamper if the information sought for is not disclosed. The petitioner Shri Joydev Das failed to respond . The third party M/S All Assam Wholesale Fish Traders Association objected to give documents pertaining to the Association to the RTI applicant. The Asstt. Commissioner has also mentioned in his written statement that Shri Joydev Das is a fish trader therefore, the business rivalry may be the reason and not the public interest. Since Shri Joydev Das failed to respond to the Asstt. Commissioner's notice, the Asstt. Commissioner of Taxes has decided not to disclose the information or record or the part thereof to the RTI applicant.

In view of the nature of implied allegation in the RTI application and subsequent deposition made by the applicant before this Commission, it is decided to give another opportunity of being heard to the petitioner, before this Commission takes a final decision.

Fix 18.3.16 at 12.30 PM for next date of hearing.

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

Authenticated true copy.

Secretary & Registrar
Assam Information Commission

Memo No. KP(M).658/2013/

Dtd. 24.2.2016

Copy to: 1. The SPIO in the office of the Commissioner of Taxes, Govt. of Assam, Guwahati-6 for information and necessary action.
2. Shri Joydev Das, Ambari Fatasil, Kushal Konwar path, Near Mayur Krishna Cinema Hall, House No. 16, Guwahati – 25 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam Information Commission