



**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, Govt. of Assam
Date of hearing : 18. 3.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
30.3.2016

The appellant Shri Joydev Das was present on the last date of hearing i.e. 18.3.2016. The Public Authority represented by Shri Sandeep Chanda, Superintendent of Taxes, Guwahati, Unit-D also appeared after the hearing was over although, he signed the attendance sheet before the hearing.

The appellant Shri Joydev Das submitted a written submission dtd 8.3.16 highlighting the public interest involved in the information sought for by him vide his RTI application dtd 12.8.13. His written submission has been entered into the case records.

The Assistant Commissioner of Taxes & PIO, Guwahati, Unit-D also has sent a copy of letter dtd 15.3.16 addressed to Shri Joydev Das, the appellant informing him of the decision of the PIO not to disclose the third party information. Copy of this letter dtd 15.3.16 has also been entered into the case records.

In view of the decision of the PIO not to disclose third party information, and the pendency before this Commission of the second appeal petition dtd 30.9.13 of Shri Joydev Das, the appellant, section 19(4) of the RTI Act, 2005 requires that the third party i.e. M/S All Assam Wholesale Fish Traders' Association has to be given a reasonable opportunity of being heard before this Commission takes a final decision on the second appeal petition as well as on the PIO's letter dtd 15.3.16 mentioned above.

Fix 29.04.16 at 1.00 PM for final hearing of the second appeal petition dtd 30.9.13.

Issue notice to all concerned i.e. (1) M/S All Assam Wholesale Fish Traders' Association, the third party, through the Commissioner of Taxes, Govt. of Assam, (2) the PIO of the office of the Commissioner of Taxes, Govt. of Assam, Guwahati-6, and, (3) the appellant Shri Joydev Das for appearance at the time of hearing.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ KP(M).658/2013/114

Dtd. 30.3.2016

Copy to:

1. The Commissioner of Taxes, Govt. of Assam, Kar Bhawan, Dispur, Guwahati-6 for information and necessary action. He is requested to deliver copy of the above order to M/S All Assam Wholesale Fish Traders' Association, Guwahati.
2. The SPIO of the office of the Commissioner of Taxes, Govt. of Assam, Kar Bhawan, Dispur, Guwahati -6 for information and necessary action.
3. Shri Joydev Das, Ambari Fatasil, K.K. Road, Near Mayur Krishna Cinema Hall, House No.-16, Guwahati-25 for information.
4. M/S All Assam Wholesale Fish Traders' Association, Guwahati for information. (Through Commissioner of Taxes, Assam)
5. Computer Section for uploading in the Website.
6. Office File.

Registrar
Assam Information Commission