

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

Case No. : **KP(M) 571/2016**

Complainant/ appellant : **Sri Dilip Prasad Dutta**

Respondent : **Assam Govt. Construction Corporation, Ltd.**

Date of hearing : **09-9-2016**

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

O R D E R

The petitioner Sri Dilip Prasad Dutta is absent without any information. The public authority is represented by:- (1) Sri Pabitra Kr. Kalita, Managing Director, AGCC Ltd., Rupnagar, Guwahati, and (2) Sri Sukleswar Kalita, Accounts Officer of the same office.

The second appeal petition dated 27-10-2014 is taken up for hearing ex parte in the absence of the petitioner. Sri P. K. Kalita, Managing Director of AGCC Ltd has submitted a written statement dated 9th September, 2016, stating that necessary information in response to petitioner's RTI petition dated 26-8-2014 was sent to the petitioner vide letter dated 25-9-2014 , copy of which has been enclosed with the written statement.

Thereafter on 29-9-2014 M.D, AGCCL received a first appeal petition dated 26-9-2014 which was also replied to vide letter dated 20-10-2014, copy of which has been enclosed with the written statement.

From perusal of the case records it is seen that the concerned employee Sri Nikhil Ch. Das, about whose service matters informations were sought for by the petitioner, Sri D.P.Dutta, Advocate, was retrenched in the year 2005 as per the State Govt. policy. He was paid all his retrenchment dues in time. There has been no complaint or communications from the employee regarding his retrenchment dues. The Managing Director, AGCCL submitted that after the Government's decision to close down the AGCCL in 2005 , all the employees of the PSU have been released after paying there admissible VRS/ retrenchment dues as the case may be. AGCCL is now at the final stage of its legal closure. He suspects that some unscrupulous elements are trying to delay the final and formal legal closure of the PSU by creating complications and by dragging it into unnecessary litigations , through every possible means, including misuse of the RTI Act.

In the absence of the petitioner without any information, he could not be heard. However, from the depositions, including the written statement of Managing Director, AGCCL, and from perusal of the case records, the second appeal petition is found to be without any merit and hence it is disposed of.

**Sd/-
(H.S.Das)**

**Chief Information Commissioner, Assam
Panjabari, Guwahati**

**Authenticated true copy.
Sd/-
Registrar
Assam Information Commission**

Memo No.SIC/KP(M) 571/2016/15-A

Dated.09-09-2016

Copy to:

1. Sri Pabitra Kr. Kalita, Managing Director, AGCC Ltd., Rupnagar, Guwahati,, for information.
2. Sri Dilip Prasad Dutta, Advocate , Lawyers Association, Panbazar, Guwahati-1 P.S- Panbazar, District – Kamrup (Metro) for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

**Registrar
Assam Information Commission**