

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

Case No. : KP(M).497/2016  
Complainant/ Appellant : Shri J Dwarka Prasad Agarwal  
Respondent : Assam Urban Water Supply & Sewerage Board  
Date of hearing : 19.12.2016  
Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**

19.12.2016

The petitioner Shri Dwarka Prasad Agarwal is represented by learned advocate Miss Aparna Deka as authorized by him. The public authority is represented by Shri S.K. Bora, Secretary & SPIO of Assam Urban Water Supply & Sewerage Board (AUWS&SB), Guwahati accompanied by Shri M.K. Deka, ASPIO of AUWS&SB. The second appeal petition dated 23.4.15 is taken up for further hearing in pursuance of this Commission's earlier order dated 2.9.16 in presence of both the parties.

The SPIO of the AUWS&SB submitted that they have meanwhile furnished the required information in respect of point no. (g) of the RTI petition dated 13.4.15 and the approved rate per MT Ferric Alum for the year 2012-13 have since been furnished to the petitioner vide letter dated 9.9.16. The learned advocate for the petitioner also acknowledged receipt of the same.

As regards informations against point nos. (j), (k), (l), (m) & (n) of the RTI petition, the SPIO submitted that the required informations were furnished vide letter dated 9.9.16. The learned advocate for the petitioner submitted that they have received the informations furnished by the SPIO but are not satisfied with the reply mainly on the ground that AUWS&SB appears to have deducted VAT in excess of the deductible amount because the petitioner is entitled to exemption from payment of VAT collected by them from their consumers to the tune of 99% under the Assam Industrial Policy, 2008. This Commission observes that it is not the competent authority to redress the grievance of alleged excess VAT deduction by AUWS&SB. This Commission, therefore, directs the petitioner to approach the competent authority namely AUWS&SB, and if necessary the Commissioner of Taxes, Government of Assam for redressal of their grievance of excess VAT deduction by AUWS&SB.

With the above order the second appeal petition dated 23.4.15 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).497/2016/30-A

Dtd. 19.12.2016

Copy to:

1. The Secretary & SPIO of Assam Urban Water Supply & Sewerage Board, Amritpur Path, Ganeshguri, Guwahati-6 for information and necessary action.
2. Shri Dwarka Prasad Agarwal, I-C, Royal Silver Tower, Iachiit Nagar, Guwahati- 781 007 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar  
Assam Information Commission