

**OFFICE OF THE  
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

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**Case No.** : **KP(M).362/2017**  
**Complainant/ Appellant** : **Nazneen Ahmed**  
**Respondent** : **Commissioner of Taxes**  
**Date of Hearing** : **10-8-2017**  
**Complaint/ Second** : **Shri H. S. Das, IAS (Retd)**  
**appeal heard by** : **State Chief Information Commissioner, Assam**

**O R D E R**  
**10-8-2017**

1. The appellant/petitioner Smti Nazneen Ahmed is present accompanied by one Dr. Moushumi Das to assist her. The public authority is represented by Sri Gautam Das Gupta, Deputy Commissioner of Taxes, Guwahati Zone 'B' accompanied by Momshad Dinory, Superintendent, Taxes, presently posted at Mangaldoi to assist the Deputy Commissioner. The Deputy Commissioner of Taxes, Zone-'B' stated orally that Sri Momshad Dinory was the Superintendent of Taxes, Zone-'B' attached with the Deputy Commissioner, Zone-'B' at the relevant time pertaining to the RTI petition dated 7-5-2016.
2. The Deputy Commissioner of Taxes, Zone-'B' has made a written submission dated 29<sup>th</sup> July, 2017, the gist of which is that there are no official records to substantiate the averments made in the 1<sup>st</sup> sub-paragraph of paragraph-5 of the RTI petition dated 7-5-2016, and therefore, no information could be furnished in response to sub-paras (a), (b) and (c) of paragraph 5 of the RTI petition.
3. These informations have already been communicated to the petitioner by the Deputy Commissioner of Taxes, Guwahati Zone-'B' vide his letter No. GE-1286/Zone-B/2006-07/3910-13 dated 29<sup>th</sup> July, 2017
4. The petitioner did not/ could not submit any paper/ document in support of the statement made by her in the first sub-paragraph of paragraph -5 of her RTI petition dated 7-5-2016. It is also noted that Dr. Moushumi Das, who accompanied the petitioner Smti Nazneen Ahmed to assist her is the concerned Inspector of Taxes, Zone-'C' of the Commissioner of Taxes, Kar Bhawan, Guwahati who is stated to have seized some goods which were later deposited at the Kar Bhawan Warehouse, and who issued notice and seizure list dated 4-4-2016 in respect of the seized goods. It is also noticed that the RTI petition dated 7-5-2016 was addressed by the petitioner to the Commissioner of Taxes, Govt. of Assam which was forwarded by Additional Commissioner of Taxes and SPIO vide his letter dated 1<sup>st</sup> June, 2016 to the Deputy Commissioner of Taxes, Zone-'C'. The Deputy Commissioner of Taxes I/C Zone -'C' vide his letter dated 19<sup>th</sup> July, 2017 informed the Registry of this Commission that the sought for information was not in his possession and hence, the RTI application was

transferred to Deputy Commissioner of Taxes, Guwahati Zone-‘B’ with a request to furnish the information to the applicant.

5. From the above, it appears that the sought for information is not available either with the Deputy Commissioner of Taxes, Guwahati Zone-‘B’ or with the Deputy Commissioner of Taxes, Zone-‘C’. On the other hand the statements made by the petitioner at sub-paragraph of paragraph 5 of her RTI petition is specific in terms of the particulars of seized goods, person from whom the goods were seized and the dates of notice and seizure list.

6. In view of the above, Commissioner of Taxes, Govt. of Assam and the SPIO of the Commissionerate are directed to look into the matter and give within fifteen (15) days of this order, a clear and specific reply to the petitioner whether the statement made by the petitioner in first sub-paragraph of para-5 of her RTI petition is factually correct, and if so, furnish replies to the following sub-paragraph ‘a’ ,’b’ and ‘c’, and report compliance with the Registry of this Commission.

7. In view of the above, the second appeal petition dated 13-6-2017 which was converted from a complaint petition of the same date is disposed of.

**Sd/-**

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

**Authenticated true copy**

**Sd/-**

**Registrar**

**Assam Information Commission**

**Memo No SIC/ KP(M) 362/2017**

**-A**

**Dated 10-8-201**

**Copy to:-**

- 1) Sri Gautam Das Gupta, Deputy Commissioner of Taxes, Guwahati Zone ‘B’ “Kar Bhawan” , Dispur, Guwahati-6 for information
- 2) Smti Nazneen Ahmed, D/O Nasiruddin Ahmed, Resident of House No-48/3 , Near BSNL Customer Service Centre, GNB Road, Ambari, Guwahati-1, P.O- Panbazar, District-Kamrup, Assam, for information.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

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