

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

Case No. : SIC/KP(M).1035/2017
Appellant : Shri Hari Narayan Pathak
Respondent : The SPIO, O/o the Joint Manager (Technical) Assam Mineral
Dev. Corporation Ltd., Dispur
Date of hearing : 08.03.2018
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
08.03.2018

Shri Sailendra Goswami, Superintendent/SPIO, Assam Mineral Dev. Corporation Ltd. and Shri Bhabesh Sarma, Office Assistant on behalf of the First Appellate Authority/Managing Director, AMDC are present. A Written Statement dated 05.03.2018 submitted by the SPIO.

A Written Statement dated 05.03.2018 has been received from the FAA/Managing Director, Assam Mineral Dev. Corporation Ltd.

The Appellant, Shri Harinarayan Pathak is present.

Perusal of the case records indicates that the Appellant had submitted his Second Appeal dated 07.08.2017 contesting the response of the SPIO claiming exemption from disclosure U/S 8 (3) of the RTI Act, 2005 as regards the first of the three points in the Application dated 14.01.2017. He was also not satisfied with the statement of the SPIO that the Corporation had no action plan which he had sought. Regarding the third point wherein information has been provided, the Appellant stated that no supporting documents accompanied the same.

Heard the Appellant. He reiterated his contention made in the Second Appeal and added that as requested he had attended the office of the Public Authority but was not provided with the wanting information or the relevant records for inspection.

Perused the Written Statements and heard the SPIO. He submitted that he had sought exemption from disclosure in respect of the first point as the information sought for was more than twenty years old and “Action Plan” did not exist. He submitted that his office had some information in the form of Annual Reports maintained as a part of essential record for the management of the organization, and that the same can be allowed to be inspected by the Appellant as the process of photocopying would be time taking and costly. As regards point number 2 the same pertained to “Action Plan” of the Company for the period from 01.04.1995 to 31.03.2005. He added that the Company had no periodical plans but projects were taken up with the approval of the Board of Directors and the same alongwith status of implementation and other information such as revenue receipt, turn over etc. are reported in the Annual Report.

Thus, the Annual Report can be inspected by the Appellant. Similarly, the relevant documents relating to Royalty Receipts on Minerals can be inspected by the Appellant. The Appellant submitted that he was willing to inspect and verify the records subject to production of the same in a systematic manner on specific date and time.

Considering the aforementioned submissions, the Commission hereby orders that the SPIO shall appoint specific date(s) and time and allow the Appellant to inspect all relevant records relating to the information sought for by him and the Appellant shall inspect the records and take notes etc. and indicate the specific pages/documents whose photocopies would be essentially required. The SPIO shall provide upto 100 copies, free of cost, and the cost of copies beyond that number shall be borne by the Appellant. The entire exercises of inspection etc. shall be completed in a systematic manner within 3-4 days.

The Second Appeal is hereby disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/KP(M).1035/2017

Dtd.08.03.2018

Copy to:

1. The SPIO, O/o the Joint Manager (Technical) Assam Mineral Dev. Corporation Ltd., Khanij Bhawan, Behind Sahjahan Market, Near Ganesh Mandir, R.P. Road, Dispur, Guwahati- 6 for information and necessary action.
2. The First Appellate Authority/ Managing Director, Assam Mineral Dev. Corporation Ltd., Khanij Bhawan, Behind Sahjahan Market, Near Ganesh Mandir, R.P. Road, Dispur, Guwahati- 6 for information.
3. The Appellant, Shri Hari Narayan Pathak, Padum Pukhuri, Uzan Bazar, Guwahati- 781 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission

