



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

Case No. : KP(M).544 /2018
Complainant/ appellant : Shri Dulal Bora
Respondent : SPIO of the office of the Commissioner of Taxes, Assam
Date of hearing : 10.10.2018
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
10.10.2018

1. The petitioner Shri Dulal Bora is present. The public authority is represented by (1) Shri Hiranya Kr. Sarma, Joint Commissioner of Taxes, Assam & SPIO of the office of Commissioner of Taxes, (2) Shri Amitabha De, Asstt. Commissioner of Taxes, Bongaigaon Unit and (3) Shri Amarjyoti Kalita, Superintendent of Taxes, Dholaibazar Check Post. The second appeal petition dated 14.5.2018 is taken up for hearing with reference to the petitioner's RTI petition dated 27.3.2017. The SPIO of the office of the Commissioner of Taxes submitted a written statement dated 24.9.2018, which is entered into the case records.
2. It is seen from the case records that the petitioner had earlier also sought some informations about one officer, namely Shri Prasenjit Kr. Ghosh, District Transport Officer, who had earlier worked as Inspector of Taxes under Commissioner of Taxes, Govt. of Assam. Informations against two earlier RTI petitions bearing No. DB-3778/17/B and DB.3779/17/B, both dated 27.3.2017, were already furnished to the petitioner by the Joint Commissioner of Taxes, Assam.
3. By the instant RTI petition dated 27.3.2017 the petitioner wanted –
 - (a) Photocopies of Taxes collected and deposited by Shri Prasenjit Kr. Ghosh during his tenure as Inspector of Taxes and
 - (b) Photocopy of the permission granted by the Commissioner of Taxes to Shri P.K. Ghosh to apply before the APSC for other post.
4.
 - (a) The petitioner has given a written submission dated 10.10.2018 stating that he has since received the information in respect of point No. 3(b) above,
 - (b) As regards point No. 3 (a) above, the Joint Commissioner of Taxes submitted that Shri P.K. Ghosh worked as Inspector of Taxes first in the office of the Asstt. Commissioner of Taxes, Bongaigaon Unit from 31.05.2010 to 02.8.2011, then in Dholaibazar check Post, Cachar from 4.8.11 till 17.8.2013 and thereafter in Unit –D, Guwahati from where he resigned and joined Transport Department as DTO. The Joint Commissioner of Taxes submitted that the Inspectors of Taxes are not empowered to collect taxes on their own. Their job is to inspect and assist the Superintendent of Taxes. Therefore, information sought for by the petitioner vide point No. 1 of his RTI petition is relevant only during Shri Ghosh's tenure in Dhalaibazar Check Post, which were already furnished to him and acknowledged receipt of the same by written submission.

In view of the above, the second appeal petition dated 14.5.2018 is disposed of.

Sd/-

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

Authenticated true copy.

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/ KP(M).544/2018/

Dtd. 10.10.2018

Copy to: 1. The Joint Commissioner & SPIO of the office of the Commissioner of Taxes,
Govt. of Assam, Kar Bhawan, Dispur, Guwahati-6 for information and
necessary action.
2. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for
information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book

Joint Registrar
Assam Information Commission