

Case No. : SIC/KP(M).328/2021
Complainant/ Appellant : Sri Harinarayan Pathak
Respondent : SPIO, Commissionerate of Industries &
Commerce, Bamunimaidam, Guwahati
SPIO, Industries & Commerce Department,
Dispur
SPIO, Commissionerate of Taxes, Kar Bhawan,
Dispur
Date of Hearing : 06/12/2021
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
06/12/2021

1. The petitioner Sri Harinarayan Pathak has filed his RTI application on 7.8.2021 before the SPIO and Joint Director (Extn.), Commissionerate of Industries & Commerce, Bamunimaidam seeking following information:
 - (a) Copy of the Public Document, vide letter no. CI&C(V). Query/208/2018/43/5413, Dated 11.7.2018, together with the enclosures if any.
 - (b) Action taken report supported by Documentary Proofs including respective file notings, in respect of the public documents addressed to the Commissionerate of Industries & Commerce, Assam as following:
 - (i) MI.159/2018/28, Dated 11.9.2018 (By. No. 2101, Dated 7.12.2018) and,
 - (ii) CTS-254/2018/118, Dated 27.11.2018 (Dy. No. 1955, Dated 29.11.2018)
2. The SPIO of the Commissioner of Industries & Commerce, Bamunimaidam has transferred the RTI application of Sri Harinarayan Pathak to the Deputy Secretary to the Govt. Of Assam & SPIO, Industries & Commerce Department, Dispur to furnish information relating to point no. 2(b) to the appellant.
3. The petitioner then filed his 1st appeal petition before the First Appellate Authority of Commissionerate of Industries & Commerce on 13.9.2021 wherein the petitioner has mentioned that transfer of his RTI petition's question no. 2(a) and 2(b) to SPIO of other department is not appropriate.
4. However, in response to appellant's 1st appeal petition, the First Appellate Authority of Commissioner of Industries & Commerce vide his letter no. CI & C(I) 191/RTI/2021/26 dated Guwahati 24th September 2021 has justified the transfer of the RTI petition to SPIO of other departments.
5. Being not satisfied with the response from SPIO/1st Appellate Authority level, the petitioner then filed 2nd appeal before the Commission on 11.10.2021 and accordingly the matter was taken up for hearing.
6. The petitioner Sri Harinarayan Pathak is absent. However, he has sent an application dated 6.12.2021 wherein he has mentioned that due to his eye problem he is unable to attend today's hearing.
7. The Public Authority is represented by Shantanu Dhar, Deputy Commissioner of Taxes, Guwahati Zone A accompanied by Tanu Ram Talukdar, Under Secretary, Industries & Commerce Department, Dispur and Tarun Kumar Kataki, Joint Director of Industries & Commerce, Udyog Bhawan, Guwahati.
8. The Deputy Commissioner of Taxes, Zone A has submitted a written statement dated 3.12.2021 wherein it is mentioned that the sought for information has already been furnished to the appellant vide letter No. CTS-55/2020/107 on 22.9.2021.

9. The Under Secretary to the Govt. Of Assam & SPIO, Industries & Commerce Department has also submitted a written statement dated 1.12.2021 wherein it is mentioned that the information related to point no. 2(a) has already been provided to the appellant vide letter no. CI.100/2019/17 dated 24.9.2021.
10. The SPIO of the Office of the Commissioner of Industries & Commerce, Udyog Bhawan, Bamunimaidam has also submitted a written statement dated 4.12.2021 which is taken into records.
11. In view of the above, the case is disposed off.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).328/2021

Dtd. 6.12.2021

Copy to:

1. The SPIO, Commissionerate of Industries & Commerce, Bamunimaidam, Guwahati 21 for information.
2. The SPIO, Industries & Commerce Department, Dispur, Guwahati 06 for information.
3. The SPIO, Commissionerate of Taxes, Kar Bhawan, Dispur, Guwahati 06 for information.
4. The petitioner Sri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati 01 Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Secretary & Registrar
Assam Information Commission