



OFFICE OF THE

**ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/KP(M).191/2021  
 Appellant : Sri Harinarayan Pathak  
 Respondent : The SPIO, o/o the Assam Industrial Infrastructure Dev. Corporation  
 Date of hearing : 16.09.2021  
 Second Appeal heard by : Sri Kanak Ch. Sarma  
 State Information Commissioner, Assam

**O R D E R**

16.09.2021

The appellant Shri Harinarayan Pathak is present.

Shri Ritumoni Pachani, General Manager & SPIO, Assam Industrial Infrastructure Dev. Corporation is present. He submits one written statement vide letter no. AIIDC/3108/2021/2168 dated 15.09.2021. It is submitted that the RTI application no. 1593 dated 28.01.2021 of Shri H.N. Pathak was received by the SPIO of AIIDC on 29.01.2021. The informations sought by the petitioner was on four numbers of letters issued from the office of the AIIDC on 02.07.1998, 11.11.1998, 04.02.1999 and 11.11.2000. Further, he sought informations on the date of receipt of Government letter no. CI.383/97/95 dated 05.12.2000 and action taken report including file notings in respect of the said public documents. The SPIO informs the appellant vide letter no. AIIDC/3108/2021/1581 dated 03.03.2021 that no informations could be traced out in his office. The appellant did not receive the sought for informations and thus preferred 2<sup>nd</sup> appeal before the Commission on 21.06.2021.

Seen the written statement submitted by the SPIO of AIIDC. It is submitted that the office copy of the four letters issued from the office of AIIDC as well as receipt date and action taken on the Government letter bearing no. CI.383/97/95 dated 05.12.2000 can't be traced. The SPIO submits orally that there is no any office assistant as custodian of records and there is also no record officer for maintenance and inspection of records in the office of the Corporation. Therefore, it is most unlikely to trace out record of office letters dating back to 20-25 years.

From the submission of the SPIO, it is observed that the SPIO of AIIDC is seen to be helpless in tracing out letters which are 20-25 years back for non-availability of office assistants and absence of record room. **The public authority, Managing Director, AIIDC is directed to maintain records as per provision of Assam Public Records Act, 2002 so that records are preserved as per retention schedule of records issued by the Administrative Department. He is also directed to maintain office records in the record room and to engage record officer if not already engaged. Although it is felt that the public authority of AIIDC seems to have not been maintained record properly as per provision of the Act**

and rules thereon yet the Commission does not wish to impose penalty on the SPIO as it is submitted that there is no office assistant as custodian of records in the office. The Administrative Department i.e. Industries & Commerce Department, Government of Assam is suggested to look into the problems of AIIDC for proper maintenance of records.

With the above directions, the 2<sup>nd</sup> appeal dated 21.06.2021 is disposed of.

Sd/-  
(Kanak Ch. Sarma)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy


Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).191/2021**

**Dtd.16.09.2021**

Copy to:

1. The Commissioner & Secretary to the Govt. of Assam, Industries & Commerce Deptt., Dispur, Guwahati- 6 for information and necessary action.
2. The Managing Director, Assam Industrial Infrastructure Dev. Corporation, Industrial Estate, Bamunimaidam, Guwahati- 781 021 for information and necessary action.
3. The SPIO, o/o the Assam Industrial Infrastructure Dev. Corporation, Industrial Estate, Bamunimaidam, Guwahati- 781 021 for information and necessary action.
4. The First Appellate Authority/office of the Assam Industrial Infrastructure Dev. Corporation, Industrial Estate, Bamunimaidam, Guwahati- 781 021 for information.
5. The appellant, Shri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati- 781 001 for information.
6. Computer Section for uploading the order in the Website.
7. Office File.

  
Secretary & Registrar  
Assam Information Commission