



**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

Case No. : SIC/KP(M).365/2021
 Appellant : Sri Pradip Ranjan Handique
 Respondent : The SPIO, o/o the Managing Director, APCDC Ltd.
 Date of hearing : 10.02.2022
 Second Appeal heard by : Sri Kanak Ch. Sarma
 State Information Commissioner, Assam

O R D E R

10.02.2022

The appellant Sri Pradip Ranjan Handique vide his letter dated 09.02.2022 informs the Commission that he is unable to attend today's hearing for serious illness of his son and has authorized Sri Gobindo Rajbongshi, Retd. Superintendent of APCDC Ltd. to represent him. Accordingly, he is present.

Sri Satyajit Sen, Sub-Engineer & SPIO, o/o the Managing Director, APCDC Ltd. is present and submits written statement vide letter no. APCDC/Estt./RTI/MISC/2013-14/145 dated 09.02.2022.

Perused the case record. The appellant submitted one petition dated 13.08.2021 under the RTI Act, 2005 before the SPIO, o/o the MD, APCDC Ltd. seeking certain informations. The SPIO issued a letter requesting the appellant to deposit a sum of Rs. 304/- being the cost of photocopying of the informations vide letter no. APCDC/Estt./RTI/MISC/2013-14 dated 10.09.2021.

The appellant vide his letter dated 15.09.2021 informed the SPIO that he may have misunderstood calculation of fee to be paid as cost of photocopying. However, he had paid Rs. 304/- and the office received the same. The appellant was not provided with the sought for informations even after receipt of the fee for which he preferred 1st appeal dated 06.10.2021 before the 1st appellate authority-cum-MD, APCDC Ltd. The FAA also failed to organize hearing to dispose of the 1st appeal petition and the appellant also did not receive the desired informations for which he preferred 2nd appeal dated 06.11.2021 before the Commission.

The SPIO of APCDC Ltd. submits orally that Arrear bill for the period from 1st January, 2006 to July, 2020 has already been prepared and paid to the employees but he also submits that the pay bill for the said period can't be furnished considering this to be third party personal informations. He also reiterates that some of the employees have informed him in writing not to furnish such informations because they consider it to be personal informations. It is not understood that how an arrear salary bill of an office can be a third party personal informations and why it should not be furnished to the appellant under the RTI Act, 2005. In my opinion, the SPIO might have misinterpreted the term of third party personal informations since arrear salary bill has been prepared and already been paid to the employees and the pay

bill has been kept as a record in the office. Since it is maintained as record, it is not personal informations, and as such, the same should be furnished to the appellant under the RTI Act, 2005. **Therefore, the SPIO, o/o the MD, APCDC Ltd. is directed to furnish the sought for informations to the appellant within ten days of receipt of this order.**

With the above directions, the 2nd appeal dated 06.11.2021 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).365 /2021

Dtd.10.02.2022

Copy to:

1. The SPIO, o/o the Managing Director, Assam Plantation Crops Dev. Corporation Ltd., Opp. Sarusajai National Stadium Complex, Sawkuchi, NH-37, Guwahati- 781 040 for information and necessary action.
2. The First Appellate Authority/office of the Managing Director of APCDC Ltd., Assam Bhumi Sangrakshan Bhawan, R.G. Baruah Road, Guwahati- 05, Assam for information.
3. The Appellant, Sri Pradip Ranjan Handique, H/No. 41, Kanak Villa, Lechia, Bakrapara, PO- Basistha, Guwahati- 29, Contact No. 9678009856 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.


Secretary & Registrar
Assam Information Commission