

Case No. : SIC/KP(M).213/2021
Complainant/ Appellant : Shri Harinarayan Pathak.
Respondent : The SPIO/Deputy Secretary to the Government of
Assam, Industries & Commerce Department, Dispur,
Guwahati, PIN Code 781006, Assam.
Date of Hearing : 13-09-2021
Complaint/ Second
Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
13-09-2021

1. The appellant Shri Harinarayan Pathak is present.
2. Shri Tanu Ram Talukdar, SPIO and Under Secretary, Industries and Commerce Department, Govt. of Assam, is present. The SPIO has also submitted a written statement No. MI.51/2021/19 dated 07.09.2021. The SPIO has also informed that the information sought by the appellant Shri Harinarayan Pathak has been furnished to him vide letter No. MI.51/2021/18 dated 07.09.2021.
3. The appellant Shri Harinarayan Pathak however claimed that some portion of the information related to his RTI query No. (i) has not been furnished. Responding to this, the SPIO Shri Tanu Ram Talukdar verbally stated that best efforts to search and locate the relevant file as quoted by the appellant Shri Harinarayan Pathak in his query No. (i) have not yielded any positive result. The petitioner however asserted that such records must be available in the concerned Public Authority under provisions of relevant rules related to maintenance of public records.
4. **In view of the above, the SPIO is directed to make a fresh effort to locate the particular file and provide the information within 21 (twenty-one) days from receipt of this order. The SPIO is also directed to inform the concerned authorities about the non-availability or untraceability of the particular file, so that necessary steps may be taken to locate or reconstruct the file.**
5. **The attention of the Secretary to the Government of Assam, Industries & Commerce Department, Dispur, Guwahati, is drawn to the matter of untraceability of the particular file related to informations sought by the appellant.**
6. With the above order, this 2nd Appeal is hereby disposed of.

Sd/-
(Samudra G. Kashyap)
State Information Commissioner,
Assam.

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).213/2021

Dated: 13-09-2021

Copy to:

1. The SPIO/Deputy Secretary to the Government of Assam, Industries & Commerce Department, Dispur, Guwahati, PIN Code 781006, Assam, for information and necessary action.
2. The First Appellate Authority/ Secretary to the Government of Assam, Industries & Commerce Department, Dispur, Guwahati, PIN Code 781006, for information and necessary action.
3. The petitioner, Shri Harinarayan Pathak, Padumpukhuri, Uzanbazar, PIN Code 781001, Assam, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar
Assam Information Commission.