

Case No. : SIC/KP(M).281/2021
Complainant/ Appellant : Shri Harinarayan Pathak.
Respondent : (i) The SPIO, O/o the Commissioner of Industries & Commerce, Bamunimaidam, Guwahati, PIN Code 781021, Assam.
(ii) The SPIO, AIIDC, IE, Bamunimaidam, Guwahati, PIN Code 781021, Assam.
Date of Hearing : 03-03-2022
Complaint/ Second Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
03-03-2022

1. The appellant Shri Harinarayan Pathak is present.
2. Shri Ritumoni Pachani, General Manager, AAIDC, Shri Tapan Deka, SPIO & Joint Director, Industries & Commerce Department, Govt. of Assam and Smti Archana Chetri, PIO and Deputy Director, Industries & Commerce Department are present. The SPIO, AIIDC has also submitted a written statement No. AIIDC/3107/2021/2886 dated 03.03.2022.
3. From perusal of records it is seen that the appellant Shri Harinarayan Pathak had submitted one RTI application to the SPIO, O/o the Commissionerate of Industries & Commerce, who transferred the said RTI application to the SPIO, AIIDC. On 23.02.2021 the SPIO AIIDC wrote to the petitioner Shri Harinarayan Pathak informing him that the informations sought could not be traced in the office. Following this, the appellant Shri Harinarayan Pathak submitted a 1st Appeal on 25.06.2021. Following this the SPIO/Deputy Director, O/o the Commissionerate of Industries and Commerce on 09.02.2021 informed the appellant that the informations sought could not be traced out despite long search. On 26.08.2021 the FAA, O/o the Commissionerate of Industries and Commerce once again informed the appellant Shri Harinarayan Pathak that the concerned files in relation to which Shri Pathak had sought the informations could not be traced despite the best efforts, and that those were more than 20 (twenty) years back and and pertains to files opened in 1981-1997. Following this, the appellant Shri Pathak submitted a 2nd Appeal in this Commission on 10.09.2021 and hence this hearing was taken up.
4. During today's hearing, the SPIO, AIIDC submitted a written statement No. AIIDC/3107/2021/2886 dated 03.03.2022 in which it has been reiterated that the informations sought by the petitioner related to matters of very old nature issued in 1988 and that those were not traceable in the office. It has been also stated that the referred documents are more than 22 (twenty-two) years old and that this has been informed to the appellant more than once.
5. In view of the above, this 2nd Appeal is hereby disposed of. Nevertheless the Public Authority is reminded to put best efforts in order to made available old records wherever applicable as per the specific rules and Acts related to maintenance of old government records.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).281/2021

Dated: 03-03-2022

Copy to:

1. The SPIO, O/o the Commissioner of Industries & Commerce, Bamunimaidam, Guwahati, PIN Code 781021, Assam, for information.
2. The SPIO, AIIDC, IE, Bamunimaidam, Guwahati, PIN Code 781021, Assam, for information
3. The First Appellate Authority/ O/o the Commissioner of Industries & Commerce, Bamunimaidam, Guwahati, PIN Code 781021, Assam, for information.
4. The petitioner, Shri Harinarayan Pathak, Padumpukhuri, Uzanbazar, PIN Code 781001, Assam, for information.
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.



Secretary & Registrar
Assam Information Commission.