

Case No. : SIC/OS.15/2021.  
Complainant/ Appellant : Shri Anil Goenka.  
Respondent : The SPIO, O/o the Assam Tea Employees Provident Fund  
Organisation, Nidhi Bhawan, Guwahati, Assam.  
Date of Hearing : 02-03-2022  
Complaint/ Second  
Appeal heard by : Shri Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**02-03-2022**

1. The appellant Shri Anil Goenka is present
2. The SPIO, Assam Tea Employees Provident Fund Organisation, Nidhi Bhawan, Guwahati, Assam, is absent. Shri Utpal Saikia, Advocate is present representing Amrit Rajbonshi, SPIO, ATEPFO, and has submitted a vakalatnama to this affect. The Commission has been also provided with a written submission. Shri Utpal Saikia, Advocate stated that the APIO of ATEPFO is physically unwell. He also verbally stated that the SPIO of ATEPFO is out of station.
3. From perusal of records it is seen that the appellant Shri Anil Goenka had submitted an RTI Application to the SPIO, O/o the ATEPFO, Guwahati, seeking certain informations related to Dilkhoosh Tea Estate, Alynee Tea Estate and Naraindhar Tea Estate, related to The Barak Tea Co. Ltd of which he is the Director. He submitted a 1<sup>st</sup> Appeal on 14.07.2021 following which he was provided with a reply by the SPIO, ATEPFO on 19.08.2021 and also on 23.08.2021. On 31.08.2021 the appellant Shri Anil Goenka wrote a complaint to the SPIO, ATEPFO stating that while he was given a reply of his RTI application, he was denied information sought for without any mention of specific Section of the RTI Act, 2005. He also complained that some of the informations have been denied on the ground that those were third party information. On 29.09.2021 Shri Anil Goenka submitted an Appeal before this Commission seeking redressal of the grievances against the SPIO, ATEPFO in reference to his RTI Application dated 31.05.2021.
4. **During today's hearing Shri Utpal Saikia, Advocate appearing on behalf of the SPIO, ATEPFO requested for another date of hearing, since the SPIO and the APIO are both not available. The Commission however considers it not necessary to fix another date for hearing. Instead, in view of the statements made by the appellant Shri Anil Goenka, the SPIO, ATEPFO is directed to furnish the informations sought by Shri Anil Goenka vide his RTI application dated 31.05.2021 which are not exempted by any provision of the RTI Act, 2005. In case any information is denied, the SPIO shall specifically mention the provisions under which those have been denied. The information shall be provided within 21 (twenty-one) days from the date of receipt of this order.**

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/OS.15/2021**

**Dated: 02-03-2022**

Copy to:

1. The SPIO, O/o the Assam Tea Employees Provident Fund Organisation, Nidhi Bhawan, Guwahati, Assam, PIN Code 781029, for information and necessary action.
2. First Appellate Authority/ Assam Tea Employees Provident Fund Organisation, Nidhi Bhawan, Guwahati, Assam, PIN Code 781029, for information.
3. The petitioner, Shri Anil Goenka, 8, Bankim Mukharjee Sarani, New Alipore, Kolkata PIN Code 700053, for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.



Secretary & Registrar  
Assam Information Commission.