

**Case No.** : SIC/OS.1/2021  
**Complainant/ Appellant** : Shri Yash Agarrwal  
**Respondent** : The SPIO, Deputy General Manager, Law, APDCL,  
Paltan Bazar, Guwahati-781001.  
**Date of Hearing** : 19-03-2021  
**Complaint/ Second**  
**Appeal heard by** : Shri Samudra G. Kashyap.  
State Information Commissioner, Assam.

**O R D E R****19-03-2021**

1. The appellant Shri Yash Agarrwal is absent without any intimation.
2. The Public Authority is represented by Shri Bhaskar Jyoti Bora, SPIO, G.M. (H.R) o/o the MD, Assam Power Distribution Company Ltd. (APDCL), Guwahati, assisted by Shri Abinash Sharma, AGM (Law), APDCL, and Smti Nabanita Goswami AM (HR), APDCL. The Commission has also received a written statement from the APDCL No. MD/APDCL/HR/RTI/2021/1/24 dated 10.03.2021.
3. From perusal of records it is seen that the appellant Shri Yash Agarrwal had submitted an RTI petition to the DGM (Law), APDCL, Guwahati, on 22.09.2020, seeking three informations related to a particular MOU signed between South West Energy Pvt. Ltd. and APDCL on 29.01.2016. On not receiving any response he submitted a 1<sup>st</sup> Appeal to the Chairman, APDCL, Guwahati on 31.10.2020. The APDCL vide letter No. MD/APDCL/Law Cell/RTI/27/2018/171 dated 02.12.2020, provided the information sought for by the appellant Shri Yash Agarrwal. Dissatisfied with the informations provided, Shri Yash Agarrwal preferred a 2<sup>nd</sup> Appeal before this Commission on 07.01.2021.
4. The SPIO of APDCL, in his written statement has satisfactorily responded to the Commission's notice No. SIC/OS.1/2021/16 dated 26.02.2021, regarding the delay that had occurred in responding to the RTI application dated 22.09.2020. A copy of a Supreme Court's order relaxing the period of limitation prescribed under general laws or under special laws in the backdrop of the situation arising out of the COVID-19 pandemic has been also enclosed with the written statement.
5. Though the appellant is absent, the SPIO during today's hearing explained in details about the information provided to the appellant on 02.12.2020 against his RTI application dated 22.09.2020. The appellant had vide query No. (1) of his RTI application wanted to know the status of an MOU signed between South West Pvt. Ltd., and APDCL on 29.01.2016, to which a reply already furnished was that the term of the said MOU had expired on 28.01.2017. The appellant had vide query No. (2) wanted copy of a notification on the basis of which the said MOU was, according to him, cancelled. The SPIO pointed out that since the said MOU's term had automatically expired on 28.01.2017, there was no question of cancelling the MOU as claimed or suggested by the appellant. Regarding query No. (3) of the appellant, the SPIO

reiterating the written reply said that query No. (3) had got addressed in the answers to the queries no. (1) and (2) by default.

6. In view of the above, the Commission is satisfied that the queries of the appellant Shri Yash Agarrwal had been already responded to in totality and that there is no apparent scope for the appellant to be dissatisfied with the response to his RTI application as has been stated in his 2<sup>nd</sup> Appeal before this Commission.
7. With the above order, the 2<sup>nd</sup> 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/OS.1/2021**

**Dated: 19-03-2021**

Copy to:

1. The SPIO, Deputy General Manager, Law, APDCL, Paltan Bazar, Guwahati-781001, for information.
2. The First Appellate Authority/ O/o the Chairman, APDCL, Paltan Bazar, Guwahati-781001, for information.
3. The petitioner, Shri Yash Agarrwal, Flat No. 104, Vijaya Enclave, Srinagar Colony, Punjagutta, Hyderabad, PIN. 500073 for information.
4. Computer section for uploading in the website.
5. Office File.
6. Order Book.

Secretary & Registrar  
Assam Information Commission