

**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/OS.10/2022
Complainant/ Appellant : Anil Goenka
Respondent : SPIO, Assam Tea Employees Provident Fund
Organisation (ATEPFO), Nidhi Bhawan, Silchar
Zonal Office, Silchar, 788001 Assam
Date of Hearing : 16/06/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
16/06/2022

1. The petitioner Sri Anil Goenka has filed one RTI petition before the PIO, Assam Tea Employees Provident Organisation (ATEPFO), Silchar Zonal Office, Silchar, Assam on 2.12.2021 seeking following information:
 - (a) Please provide me a certified copy of the letter of intent and/or the offer letter with terms and conditions received by you, from the second party in the deed of agreement dated 10/9/20 photocopies of which were sent to me vide your letter no. PF/RTI/2021/86-87 Dated 10/2/21, of their interest in running/operating Dilkhoosh Tea Estate, Alynee Tea Estate & Naraindhar Tea Estate.
 - (b) Please provide me a certified copy of your reply and correspondence held with the 2nd party and/or its representative in and relating to the leasing out of Dilkhoosh Tea Estate, Alynee Tea Estate & Naraindhar Tea Estate together with the terms and conditions offered by you to them.
 - (c) Please provide me the copy of the minutes of meeting held at your office, departments regarding the leasing of the above tea estates and with the second party and file notings, minutes of the meetings and Board Meetings where approvals have been taken from the authorised officers, Board of Trustees, ATEPFO, government of Assam etc.Kindly provide me the above information as per Section 2(f), 2(i) and 2(j) of the Right to Information Act, 2005.

After receiving the documents, I wish to inspect all the files and records of the Dilkhoosh Tea Estate, Alynee Tea Estate & Naraindhar Tea Estate at your office, as allowed under section 2(f), 2(i) and 2(j) of the RTI Act, 2005.
2. Reportedly on not getting any information, the petitioner filed 1st appeal before the 1st Appellate Authority, ATEPFO, Silchar Zonal Office, Silchar on 31.1.2022 and then he filed 2nd appeal before the Commission on 11.4.2022.

Accordingly, the matter was taken up for hearing.
3. The Public Authority is represented by Amrit Rajbongshi, Additional P.F. Commissioner & SPIO, ATEPFO, Guwahati accompanied by Joyraj Borah, Advocate. The SPIO has submitted a written statement dated 16.6.2022 which is taken into records.
4. The petitioner Sri Anil Goenka is absent. However, he has sent an email dated 7/6/2022 wherein he has mentioned that he is in Singapore and he wants to participate in the hearing over whatsapp.
5. The hearing was taken up over whatsapp, but because of incessant rainfall and grim flood situation in Guwahati as well as the distance between the Commission and the SPIO (Accompanied by his advocate) even when the mobile phone was on speaker mode, the contention of the petitioner was not audible.

6. Therefore, the Commission decides to hear the case on another date where the petitioner as well as the SPIO and his advocate (if he so desires) be present and come prepared with the issue relating to the RTI petition/reply.

7. **Fix another date of hearing.**

Authenticated copies to be given to all concerned.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/OS 10/2022

Dtd. 16.6.2022

Copy to:

1. The SPIO, Assam Tea Employees Provident Fund Organisation (ATEPFO) Nidhi Bhawan, Silchar Zonal Office, Silchar 788001 Assam for information and necessary action. He is to remain present on the next date of hearing.
2. The SPIO, Assam Tea Employees Provident Fund Organisation (ATEPFO) Nidhi Bhawan, Basistha, Lalmati, NH 37, Guwahati 29 Assam for information and necessary action. He is to remain present on the next date of hearing.
3. The petitioner Sri Anil Goenka, 8 Bankim Mukherjee Sarani, New Alipore, Kolkata 700053 for information. He is to remain present on the next date of hearing.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission