

**OFFICE OF THE ASSAM STATE INFORMATION COMMISSION: ASSAM
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-37**

Appeal Case No: KP(M).10/2015

Appellant : Sri Bonojit Thakuria

Public Authority: Sri Amarendra Kalita
SPIO & Asstt. Professor,
Guwahati Commerce College

Heard by: Shri Himangshu Sekhar Das,
Assam State Chief Information Commr.

**Appellant was
Represented by:** Self.

**Public Authority was
represented by** Sri Amarendra Kalita

O R D E R
18-3-2015

The applicant/ Complainant Sri Bonojit Thakuria is present. The Public Authority was represented by Dr. Amarendra Kalita, Assistant Professor and present SPIO of Guwahati Commerce College. The complaint petition is taken up for hearing before both the parties present.

Dr. Amarendra Kalita, the SPIO made a written submission dated 16-3-2015 narrating the sequence of developments after receipt of the original RTI application dated 8-9-2014 by the then SPIO, Guwahati Commerce College. His written submission is entered into the case record. His contention that the RTI application dated 8-9-2014 asked for information under RTI Act, 2009 and since there is no RTI Act of 2009, the SPIO is not liable to give the required information to the appellant. This contention is not accepted by the Commission, as this may be a typing error or a minor technical error. It is well known that RTI Act in the country is one.

The complainant submitted that the SPIO of Guwahati Commerce College not only did not furnish any information, but also did not give any response to the RTI applicant. Their subsequent reminder dated 8-12-2014 was also treated similarly. Hence they have filed this complaint petition dated 8-1-2015 before this Commission.

This being a Complaint petition, the Commission took it up for consideration under Section 18 of the RTI Act, 2005.

From the case records it is clear that the SPIO of Guwahati Commerce College did not take any action on the RTI application dated 8-9-2014 and on the subsequent reminder dated 8-12-2014.

The Commission is, therefore, satisfied that the complainant has sufficient grounds. The Commission, therefore, directs the then SPIO of Guwahati Commerce College Dr. Gour Gopal Banik, Associate Professor, Accountancy Department, Guwahati Commerce College to show cause within 15 days from the date of receipt of this order as to why penalty shall not be imposed on him for his refusal/ denial to furnish the information to the applicant within the stipulated time period.

Serve Notice on the then SPIO through the present Principal of Guwahati Commerce College.

Sd/-

**(H. S. Das, IAS)(Retd)
State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

**Secretary & Registrar
State Information Commission.**

Memo No.SIC/ KP(M).10/2015/

18-3-2015

Copy to:

1. Sri Amarendra Kalita SPIO & Asstt. Professor, Guwahati Commerce College, Guwahati for information & necessary action.
2. The Principal, Guwahati Commerce College, Guwahati for information and necessary action.
3. The then SPIO of Guwahati Commerce College Dr. Gour Gopal Banik, Associate Professor, Accountancy Department, Guwahati Commerce College for information and necessary action.
4. Computer Section for uploading in the Website.
5. Office file.

**Secretary and Registrar
Assam State Information Commission**