



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

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

Complainant/ appellant : **Sri Bonojit Thakuria**

Respondent : **Guwahati Commerce College**

Date of hearing : **3-12-2015**

Complaint/ Second : **Shri H.S. Das, IAS (Retd)**
appeal heard by **Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri Bonojit Thakuria is present along with one Sri Robin Saikia. The public authority is represented by Dr. Amarendra Kalita, Assistant Professor and SPIO of Guwahati Commerce College.

The matter is taken up for hearing in presence of both the parties.

The present Principal of Guwahati Commerce College Dr.Homeswar Kalita has sent a written submission through his SPIO Dr.Amarendra Kalita, which is entered into the case records. From the written submission it appears that Dr. G. G. Banik was relieved from the responsibility of SPIO by the then Principal Dr. G. Nath vide order dated 2-9-2014. It is seen from the written submission that from 2-9-2014 till 14-2-2015 no SPIO was appointed in Guwahati Commerce College.It is further seen that at the time of filing the RTI petition i.e., 8-9-2014 Dr. G. Nath was the Principal. Dr. Homeswar Kalita took charge as Principal on 15-9-2014 and is continuing as such till date. Asstt. Professor Dr Amarendra Kalita took over as SPIO on 14-9-2015.

This Commission is of the view that unless some one is appointed specifically as SPIO, the head of the Institution, i.e., the Principal shall act as the SPIO at the relevant point of time.

Therefore, in this case, there were 3 SPIOs during the relevant period :-

- 1. Dr. G. Nath, the then Principal from 8-9-2014 to 14-9-2014**
- 2. The present Principal Dr. Homeswar Kalita from 15-9-2014 to 13-2-2015 &**
- 3. Dr. Amarendra Kalita, the present SPIO from 14-2-2015 till date.**

Therefore, Dr. G. Nath , the then Principal and Dr. Homeswar Kalita the present Principal are found to be responsible for non-furnishing of the required information in response to the RTI application dated 8-9-2014 till the date of filing the complaint petition before this Commission on 8-1-2015

Therefore, issue notice to both of them to show cause as to why appropriate penal action shall not be taken against them under Section 20 of the RTI Act, 2005 for their failure to furnish the required information. Their written submissions are to reach this Commission on or before 3rd January 2016 and fix 11th January, 2016, 11.00 A.M for next hearing, requiring the presence of both Dr. Homeswar Kalita and Dr. G. Nath. Send both the Notices to the Principal , Guwahati Commerce College, who will serve the Notice on Dr. G. Nath, former Principal of the College.

**Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati**

Authenticated true copy.

Sd/-

**Secretary & Registrar
Assam State Information Commission**

Memo No. KP(M)10/2015 / -A

Dtd. 3-12-2015

Copy to;

1. Dr. G. Nath, the then Principal, Guwahati Commerce College, Guwahati for information and necessary action.
2. The present Principal Dr. Homeswar Kalita , Guwaahiti Commmerc College, Guwahati for information and necessary action.
3. Dr. Amarendra Kalita, Assistant Professor and SPIO of Guwahati Commerce College for information and necessary action.
4. Sri Bonojit Thakuria, Reporter, Niyamia Barta, News Live Building, GS Road, Guwahati-5 for information.
5. Computer Section for uploading in the Website.
4. Office File.

**Secretary & Registrar
Assam State Information Commission**