



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

Case No. : BPT.29/2013
Complainant/ Appellant : Sri Ganga Dhar Das.
Respondent : SPIO, B.H. College, Howly, Barpeta.
Date of hearing : 15.12.2015
Complaint/ Second : Shri Pinuel Basumatary, IA&AS (Retd)
Appeal heard by : State Information Commissioner, Assam

O R D E R
15.12.2015

The SPIO/ Vice Principal, B.H. College, Howly present.

The Appellant absent without information.

A perusal of the case records indicate the following sequence of significant dates:

03.10.12 RTI Application filed with PIO, B.H. College, Howly, Barpeta.
21.11.12 First Appeal filed with the First Appellate Authority in B.H. College, Howly, Barpeta.
10.01.13 Second Appeal filed before the Commission.
08.09.15 The case remanded to the First Appellate Authority.
24.10.15 Complaint by the Applicant.

Perused the two Written Statements, both dated 14/12/2015 submitted by the PIO, B.H. College, Howly. Through the W/S it has been submitted that part of the information has been provided to the Applicant and rest will be available on completion of audit within a week.

Perusal of the case records show that the First Appellate Authority *i.e.* the Principal, B.H. College, Howly had not disposed of the First Appeal dated 21/11/2012 submitted by the Petitioner. The Second Appeal case had been remanded by the Commission to the First Appellate Authority (FAA) through order no. SIC/BPT.29/2013/5 dated 8/9/2015 to dispose of the First Appeal with a speaking order after hearing the Petitioner within 30 days from the date of receipt of this order.

The SPIO submitted that the First Appeal had not been disposed of by the FAA.

The Principal, B.H. College as the FAA has not only failed to comply with the provisions of RTI Act, 2005 to dispose of the First Appeal received by him in accordance with the provisions of the said Act but also to comply with the order of the Commission in this regard.

In view of the facts and circumstances brought out above, the Commission hereby orders that the SPIO, B.H. College, Howly shall provide the information sought for by the Applicant free of cost, within 15 days of receipt of this order.

The Commission further draws the attention of the FAA *i.e.* Principal, B.H. College, Howly that he has failed to comply with the provisions of the RTI Act, 2005 in not disposing of the First Appeal dated 21/11/2012 within the stipulated date of 30 days from its receipt, and the subsequent aforementioned remand order of the Commission. It is, therefore, further ordered that the Principal, B.H. College, Howly as the FAA will

consider and dispose of the aforementioned First Appeal dated 21/11/2012 within a period of 21 days of receipt of this order with a speaking order.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. BPT.29/2013 -A

Dtd. 15.12.2015

Copy to:

1. The SPIO, Office of the B.H. College, Barpeta, Dist- Barpeta (Assam), Pin-781316 for information and necessary.
2. The First Appellate Authority in the Office of B.H. College, Barpeta, Dist- Barpeta (Assam), Pin-781316 for information and necessary action.
3. Sri Ganga Dhar Das, S/o- Lt. Dina Nath Das, Vill- Kaljar, P.O.- Barbala, Dist- Barpeta, Assam, Pin- 781316 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission