

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

Case No. : KP (M).353/2013  
Complainant/ Appellant : Sri Dulal Bora.  
Respondent : The SPIO, O/o the Assam Engineering Institute  
Guwahati, Assam  
Date of hearing : 22.12.2015  
Complaint/ Second Appeal heard by : Shri Pinuel Basumatary, IA&AS (Retd),  
State Information Commissioner, Assam

**O R D E R**

22.12.2015

Ms. Mitali Chakravorty, Lecturer (Sl. Grade) & SPIO, Assam Engineering Institute present.

The Appellant absent.

Perused the Written Statements submitted by the SPIO as well as that of the First Appellate Authority and Principal, Assam Engineering Institute dated 18/12/2015 and 19/12/2015 respectively. The SPIO has submitted with evidence of postal and office records that the Petition dated 4/4/2013 was received on 18/6/2013. It was also submitted with postal evidence that the Application was posted by the Applicant on 14/6/2013 and the IPO of Rs.10 towards Application fee was dated 5/6/2013.

The SPIO further submitted that the information sought for was furnished to the Applicant through letter dated 16/7/2013 by Speed Post.

Further, it was also submitted that the Application and the First Appeal were received in the office of the SPIO together on 18/6/2013.

From the submission of the SPIO and evidence accompanying the W/S, the Commission observes that although it was dated 4/4/2013, the RTI Application was actually posted more than two months later and that there was no delay on the part of the SPIO in furnishing the information, and also that the First Appeal and Second Appeal Petition had been filed by the Appellant before these were due.

Perused the Written Statement dated 21/12/2015 submitted by the Appellant wherein he has submitted that he had received the information he had sought for around 10 days back. It is not understood how the letter posted by Speed Post on 17/7/2013, could reach the addressee *i.e.* Petitioner only around 10 days back.

The Commission has noticed another anomaly in the matter of the date of the First Appeal filed by the Petitioner while the date on the copy of the First Appeal submitted to the Commission while filling the Second Appeal was 9/5/2013 involving overwriting of 4 by 5 the date of the First Appeal submitted to the First Appellate Authority is 9/4/2013. This is evident from the copy enclosed with the W/S of the SPIO and also the original of the First Appeal which was produced by the SPIO before the Commission.

The aforementioned anomalies highlight the need for citizens seeking information through the RTI Act, 2005 to be conscientious about facts and to comply with the provisions of the RTI Act, 2005 while seeking information under it.

With this, the Second Appeal is disposed of.

Sd/-

**Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati**

**Authenticated true copy.**

Sd/-

**Secretary & Registrar  
Assam State Information Commission**

Copy to:

1. The SPIO, Office of the Assam Engineering Institute, Chandmari, Guwahati, Assam Pin- 781005 for information.
2. The First Appellate Authority/The Principal, Assam Engineering Institute, Chandmari, Guwahati, Assam, Pin- 781005 for information.
3. Sri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati, Dist- Kamrup(M), Assam, Pin- 781022 for information.
4. Computer Section for uploading in the Website.
5. Office File.

**Secretary & Registrar**  
**Assam State Information Commission**