

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

Case No. : KP(M).271/2013  
Complainant/ appellant : Shri Dulal Bora  
Respondent : Board of Secondary Education, Assam  
Date of hearing : 29. 12.2015  
Complaint/ Second Appeal heard by : Shri H.S. Das, IAS ( Retd)  
Chief Information Commissioner, Assam

**O R D E R**  
29.12.2015

The Petitioner Shri Dulal Bora and the Public Authority represented by Shri Bimal Ch. Medhi, SPIO of SEBA – both are present. The Second Appeal petition dtd 23.5.13 is taken up for hearing in presence of both the parties.

From perusal of the case records it is seen that the petitioner filed an RTI petition dtd 15.2.13 before the SPIO of the Board of Secondary Education, Assam. the SPIO submitted that the answer scripts were destroyed and disposed of four months after announcement of the result in May, 2012 as per Regulation of SEBA. Therefore, they could not furnish photocopies of the answer scripts of the candidates from Sivasagar and Dhemaji districts as sought for by the Applicant. The RTI Applicant was informed accordingly vide letter dtd March 12, 2013

This Commission further observes that in any case this would have been third party information which should have been dealt with u/s 11 of the RTI Act, 2005 by the SPIO of SEBA and appeal should have lied before the FAA and this commission u/s 19 of the RTI Act, 2005.

In view of the above, the Second Appeal dtd 23.5.13 is disposed of.

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).271/2013/

Dtd. 29.12.2015

Copy to:

1. The SPIO in the office of the Board of Secondary Education, Assam, Bamunimaidan, Guwahati-21 for information and necessary action.
2. Shri Dulal Boara, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar  
Assam State Information Commission