

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

Case No. : NGN.31/2013  
Appellant : Sri Kamalesh Das.  
Respondent : The SPIO, O/o the Principal of Krishna Bora  
B.Ed. College, Lanka, Nagaon, Assam  
Date of hearing : 08.01.2016  
Second Appeal heard by : Shri Pinuel Basumatary  
State Information Commissioner, Assam

**O R D E R**  
08.01.2016

The Appellant present.

Sri Mukul Borthakur, Advocate on behalf of the Principal, Krishna Bora B.Ed. College, Lanka, Nagaon is present.

The Appellant has submitted that he had received some information from the SPIO through his (latter's) memo no. KBBEC/RTI/1273/13 dated 30/3/2013 but the information was incomplete and incorrect.

From the perusal of the case records it is seen that the First Appeal dated 20/2/2013 had been filed with the SDO (Civil), Hojai as the First Appellate Authority (FAA). It is also seen that the FAA had disposed of the First Appeal by issuing an order through W.T. message dated 16/3/2013 directing the SPIO to furnish the information within 2 (two) days. It also appears from the same W.T. message that after hearing on 4/3/2013, the FAA had earlier issued an order to the SPIO to provide the information within 7 (seven) days. It is therefore, seen that the SPIO has not complied with the orders of the FAA.

The representative of the SPIO has requested for fixing another date of hearing on the ground that complete instruction from his client (the SPIO) on the case was awaited.

After perusing the case records and hearing the Appellant, the Commission decided not to adjourn the hearing today to which the SPIO's representative agreed.

From the perusal of the case and the aforementioned letter of 30/3/2013, it appears that information/records which are of public in nature and are in the custody of the College Authorities have not been provided to the Applicant/Appellant.

Considering the facts brought out above, the Commission hereby orders that the SPIO shall review the steps he had already taken to provide the information sought for by the Appellant and the information sought for in full so far as they are in the public in nature, may be supplied to the Appellant, free of cost, within a period of 10 days of receipt of this order.

The Commission further notes that the First Appeal had been filed with the SDO (Civil) whereas the appropriate authority would be Director of Higher Education, Assam. The Commission therefore, orders that a copy the RTI Application dated 10/7/2012, and First Appeal dated 20/2/2013 be forwarded to the Director of Higher Education, Assam for considering and disposing of the First Appeal, with a speaking order, within a period of 21 days of receipt of this order.

With this, the Second Appeal Petition is hereby 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 Principal of Krishna Bora B.Ed. College, Lanka, P.O.- Sankardev Nagar, Dist.- Nagaon, Assam, Pin- 782442 for information and necessary action.
2. The First Appellate Authority/Director of Higher Education, Assam, Kahilipara, Guwahati, Pin- 781019 for information and for necessary action.
3. The S.D.O. (Civil), Hojai, Sankardev Nagar, Dist.- Nagaon, Assam, Pin- 782442 for information.
4. Sri Kamalesh Das, S/o- Kishore Lal Das, Vill- Dakshin Kandura, P.O.- Sankardev Nagar, Dist- Nagaon, Assam, Pin- 782442 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Secretary & Registrar  
Assam State Information Commission