



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

Case No. : SIC/CCR.16/2015  
Appellant : Md. Noim Uddin Laskar  
Respondent : The SPIO, O/o the Board of Secondary Education, Assam  
Date of hearing : 17.03.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
17.03.2016

Shri Bimal Chandra Medhi, SPIO, SEBA along with his predecessor Shri Harinarayan Das, Academic Officer, SEBA present. He also made a Written Submission dated 16.03.2016.

The Appellant has sent an apology dated 04.03.2016 on the ground of his ongoing examination and has requested for fixing another date of hearing. However, the Commission has decided to go ahead with the hearing *ex parte* based on the Written Statements from the Public Authority and the Appellant.

From the case record, it is seen that the Appellant had submitted 2 (two) Applications on the same subject with identical wording dated 14.08.2014 and 15.12.2014 respectively. It is also observed that in his First Appeal dated 21.01.2015 filed with the Chairman, SEBA, the Appellant referred to his Application dated 15.12.2014 while in his Second Appeal dated 25.03.2015 he had referred to both Applications namely dated 14.08.2014 and 15.12.2014. The SPIO had furnished a reply to the Applicant through his letter dated 29.01.2015 with reference to the Application dated 15.12.2014 to the effect that photocopies of answer scripts of candidates could not be provided as it was already beyond preservation period of 4 (four) months and the other 2 (two) queries pertained to confidential matters. The Applicant's case was that the SPIO deliberately delayed supply of the photocopies of the answer scripts to allow the period of 4 (four) months to pass and that the query no. 3 on Tabulation Register showing the name of the said student and his subjects.

Perused the aforementioned W/S of the SPIO. It has been submitted that Application dated 14.08.2014 was received in his office on 22.08.2014 and that a reply was sent to the Applicant through a letter dated 12.09.2014 asking him to deposit an amount as cost of photocopying. It has also been submitted that the Applicant neither visited nor made the said deposit and thus, the information could not be supplied to him.

It has further been submitted that the Applicant made a fresh Application dated 15.12.2014, received on 24.12.2014, which had made no reference to the first Application. The Application was thus treated as a fresh/separate Application and reply was issued to him on the lines mentioned above. A copy of the said reply was sent to him after receiving the First Appeal dated 21.01.2015.

From the letter dated 04.03.2016 received from the Appellant, it is seen that he was interested in getting a copy of the said Tabulation Register.

In view of the submission made by the SPIO, the Second Appeal and Appellant's letter, the Commission hereby orders that the Appellant/Applicant, if he so desires, visit the SPIO's office and inspect the relevant part of the Tabulation Register for the H.S.L.C. Examination of 2014 in respect of the candidate's particulars as given by him in his RTI Application, within a

period of 15 days of receipt of this order, and that the SPIO shall extend full cooperation to facilitate the said inspection.

The First Appellate Authority/Chairman, Board of Secondary Education, Assam shall consider and dispose of, within a period of 30 days of receipt of this order, the First Appeal dated 21.01.2015 with reference to this order of the Commission to ensure compliance.

The Second Appeal Petition is hereby disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/CCR.16/2015/ -A

Dtd. 17.03.2016

Copy to:

1. The SPIO, Office of the Board of Secondary Education, Assam, Guwahati, Pin- 781021 for information and necessary action.
2. The First Appellate Authority/Chairman, Board of Secondary Education, Assam, Guwahati, Pin- 781021 for information and necessary action.
3. Md. Noim Uddin Laskar, Vill- Ghagrpar Pt-II, P.O.- Salchapra, Dist- Cachar, Assam, Pin- 788801 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission