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

Case No.	:	SIC/GLT.15/2016
Complainant/Appellant	:	Sri Rajen Puzari.
Respondent	:	The SPIO, O/o the Assam Higher Secondary Education Council, Guwahati.
Date of hearing	:	25.05.2016
Complaint/Second Appeal heard by	:	Shri Pinuel Basumatary, State Information Commissioner, Assam

O R D E R
25.05.2016

The SPIO present. He has submitted a Written Statement dated 18.05.2016 which is taken on the case record.

The Complainant/Appellant is present. He submitted that he has neither received the information he had sought for nor any order from the First Appellate Authority to his Appeal and that he was still interested in the information. He has requested that his Complaint case may be treated as Second Appeal.

Perused the aforementioned W/S. It has been submitted that the Appellant/Applicant had been requested through their letter dated 25.06.2015 to deposit the cost of photocopying at the rate of Rs. 500/- for answer scripts and that the copies of the answer scripts could not be provided for want of the deposit. He has stated that the rate was in accordance with the resolution of the Council dated 27.07.2007 for providing photocopy of evaluated answer scripts.

Perused the case record. It is seen that the Appellant had made his Application on 08.06.2015 to the Council, and on receipt of the demand for the aforementioned deposit he filed his First Appeal dated 10.07.2015 pointing out the anomalies in the Council's letter dated 25.06.2015. He had submitted before the First Appellate Authority that he had been asked to deposit the cost of photocopying of answer scripts for 2 (two) subjects, *i.e.* Assamese and English whereas he had requested for answer scripts of Geography, and a detailed estimate of the cost of photocopying such as number of pages had not been specified.

Deposing before the Commission, the SPIO submitted that the normal preservation period for answer scripts is 4 (four) months from the date of declaration of examination results, and that he would put in his best effort to ascertain whether the answer scripts in question was yet available and that the copy of the required answer scripts could be provided to the Applicant/Appellant in the event it has not been disposed of.

From the factual position of the case, the Commission makes the following observations –

1. The SPIO made an error in seeking the cost of photocopying subjects other what had been requested for by the Applicant.
2. The First Appellate Authority did not respond to the First Appeal filed by the Applicant/Appellant. As submitted by the Appellant, a copy of the postal receipt in connection with the posting of the First Appeal to the FAA has been affixed on the copy thereof. It is obvious that if the FAA had disposed of the First Appeal in accordance with the said Act, there would be no question of expiry of the preservation period of the answer script in question.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall make all efforts to find out the said answer script and provide a copy thereof to the Appellant, free of cost, within a period of 15 days of receipt of this order.

Further, the First Appellate Authority shall consider and dispose of the First Appeal, with a speaking order with reference with this order, within a period of 21 days of receipt of this order.

With this, the Second Appeal Petition is disposed of.

Sd/-
Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Deputy Registrar
Assam Information Commission

Memo No. SIC/GLT.15/2016/ 12 -A Dtd. 25.05.2016

Copy to:

1. The SPIO, office of the Assam Higher Secondary Education Council, Bamunimaidam, Guwahati-781021 for information and necessary action.
2. The First Appellate Authority/Secretary, Assam Higher Secondary Education Council, Bamunimaidam, Guwahati-781021 for information.
3. Sri Rajen Puzari, Khoundpara, Dergaon, P.O.- Dergaon, Dist- Golaghat, Assam, Pin- 785614 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission