



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

Case No. : SIC/KP(M).419/2016
Appellant : Sri Harinarayan Pathak
Respondent : The SPIO, O/o the Joint Secretary, Govt. of Assam
Welfare of Plain Tribes and Backward Classes, Dispur
Date of hearing : 21.07.2016
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
21.07.2016

The petitioner Sri Harinarayan Pathak is present.

The Public Authority is represented by Sri Muchukunda Gogoi, Under Secretary, WPT & BC Department accompanied by Sri Kankan Bhagawati, Sr. Admin. Asstt., office of the WPT & BC Department. The Under Secretary & SPIO has submitted a written statement dated 20.07.2016 that the order of D.C. Nagaon was marked to WPT & BC Department only as an information copy. Hence, the petitioner was informed that no action was taken on the same.

The petitioner stated that the Scrutinizing Committee of the WPT & BC Department directs the D.C's to take necessary action on complaint petition.

The Public Authority present stated during the hearing that the scrutinizing committee gives instruction, if there is any complaint on any matter and since the matter has already been disposed of by the D.C. Nagaon, there was no action to be taken by the First Appellate Authority.

On perusal of records, it appears that the D.C. Nagaon vide order dated 01.02.2008 had already cancelled the certificate issued to Smt. Bornali Tamuli because as per magisterial enquiry it was established that she does not belong to 'Hira' community a recognized Schedule Caste. It was learnt that she belongs to General (Kalita) caste.

In view of the fact and circumstances stated above, the Commission is of the view that, the Second Appeal petition dated 16.04.2014 is without any merit and hence dismissed.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Deputy Registrar
Assam Information Commission

Memo No. SIC/KP(M).419/2016/18 -A

Dtd. 21.07.2016

Copy to:

1. The SPIO, office of the Joint Secretary, Govt. of Assam, Welfare of Plain Tribes and Backward Classes, Dispur, Guwahati, Pin-781006 for information.
2. The First Appellate Authority/Commissioner & Secretary, Govt. of Assam, Welfare of Plain Tribes and Backward Classes, Dispur, Guwahati, Pin-781006 for information.
3. Sri Harinarayan Pathak, Padumpukhuri, Uzan Bazaar, Guwahati-1 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission