

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

Case No. : KP(M).315/2016  
Complainant/ Appellant : Shri Anil Kr. Koriya  
Respondent : Institute of Hotel Management, Guwahati  
Date of hearing : 08.9.2016  
Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**

08.9.2016

1. The petitioner Shri Anil Kr. Koriya is present. The public authority is represented By Smti. Puspanjali Gogoi Baruah, SPIO of the Institute of Hotel Management, Guwahati accompanied by Shri Mrinal Kalita, Sr. Assistant of the Institute.

Before taking up the second appeal petition dated 16.5.16 the Commission wanted to know whether the Institute of Hotel Management (IHM), Guwahati will fall within the purview of the Assam Information Commission or Central Information Commission. The SPIO of IHM, Guwahati stated that on earlier occasions also they appeared before the Assam Information Commission for RTI matters. She also submitted that the land for the IHM, Guwahati was provided by the Government of Assam, while its financial requirements are met by the Ministry of Tourism, Govt. of India. She submitted that the IHM is run by a Society registered under the Societies Act, 1860 with the senior most Secretary of the Tourism Department, Govt. of Assam as Chairman of the Society. The Board of Governors of the Society includes Assam Government nominees also. The petitioner/appellant has also approached this Commission with his RTI petition.

2. In view of the above, it appears that IHM, Guwahati can be deemed to be a public authority u/s 2(h) of the RTI Act, both under Central Information Commission as well as under the State Information Commission. Since the petitioner/appellant has approached this Commission by his second appeal petition dated 18.5.16, it is decided to take up his second appeal petition for hearing in presence of both the parties.

3. From perusal of the case records it is seen that vide his RTI petition dated 25.2.16 filed before the SPIO and Administrative Officer of IHM, Guwahati, the petitioner wanted information on three points relating to his entitlement and claim of travelling allowance on medical ground. The SPIO furnished a reply dated 22.3.16 stating that the IHM, Guwahati follows Central Government's Rules and Regulations i.e. FR & SR and that granting of TA on medical ground is also subject to the satisfaction of the management. The SPIO clarified before this Commission that normally the institute follows the relevant rules under FR & SR in dealing with TA claims on medical ground. Moreover, the IHM being an autonomous Society, reimbursement of individual claims also depends on the satisfaction and decision of the principal of IHM on a case to case basis. The concerned employee may, however, approach the Board of Management to appeal against any decision of the Principal – as stated by the PIO of IHM, Guwahati.

The above clarification read with information already furnished to the petitioner by the SPIO vide letter dated 22.3.16 appears to meet the requirement of RTI petition dated 25.2.16. Hence the second appeal petition dated 18.5.2016 is disposed of.

Sd/-  
(H. S. Das)  
Chief Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Registrar  
Assam Information Commission

Memo No. SIC/KP(M) 315/2016/49-A

Dtd. 08.9.2016

Copy to:

1. The SPIO & Administrative Officer of the Institute of Hotel Management, Guwahati, VIP Road, Hengrabari, Borbari, Guwahati-36 for information.
2. Shri Anil Kr. Koriya, Qrt. No. 3, Type-4, Institute of Hotel Management, VIP Road, Hengrabari, Borbari, Guwahati-36 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar  
Assam Information Commission