

OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-39

Complaint Case No: CCR.38/2014

Complainant : Md. Unus Ahmed Mazumder,
Advocate, Gauhati High Court,
Guwahati for the complainant

Public Authority: Director, Secondary Education,
Assam, Kahilipara, Guwahati-19

Heard by: Shri Himangshu Sekhar Das,
Assam State Chief Information Commr.

**Appellant was
Represented by:** Md. Unus Ahmed Mazumder, Advocate
appeared on behalf of the complainant.

**Public Authority was
represented by** Absent

O R D E R
26-02-2015

Md. Unus Ahmed Mazumder, Advocate is present. However, the Inspector of Schools, Cachar District, Silchar or the SPIO in his office are absent without any information. Since the matter has already been delayed, it is taken up for hearing ex-parte.

From the perusal of case records, it is seen that there is no order of the first Appellate Authority against which the second appeal petition has been filed. Therefore, it is taken up as a complaint case under section 18 of the RTI Act, 2005 and taken up for hearing accordingly.

Further, from perusal of the case records it appears that the petitioner filed his first RTI application to the Inspector of Schools, Cachar District, Silchar on 7.11.13 seeking the following information :

- (a) Furnishing the photocopy of govt. letter vide No. 2202-H dtd. 06.03.2000.
- (b) Furnishing the photocopy of Govt. Notification vide No. C-R. 6727/ 2000/15 dtd. 08.06.2001.

Subsequently he moved another petition to the Director, Secondary Education, Assam adding that copy of the above mentioned letters be given to him along with applications and all annexures regarding the appointment of dropped teachers under Secondary Education Department. Vide letter dated 9th December, 2013, the SPIO and the Deputy Director of Secondary Education in the office of the Director, Secondary Education, Assam forwarded the said letter dated 9.12.2013 of the applicant to the Inspector of Schools, Cachar District, Silchar requesting him to furnish the information.

The petitioner has now approached the State Information Commission, Assam with the complaint that he has not received the required information. The Commission directs the Inspector of Schools, Cachar District, Silchar to furnish the information sought for by the applicant vide his application dated 7.11.2013 and as advised by the office of the Director, Secondary Education vide their letter dated 13th December, 2013 within 15 (fifteen) days from the date of receipt of this order. If any cost is involved in giving photocopies, then the Inspector of Schools, Cachar District, Silchar will intimate to the petitioner the amount thereof after receipt of which he will furnish the information so that the entire process is completed within 15 (fifteen) days from the date of receipt of this order.

The Inspector of Schools, Cachar District, Silchar, if he is SPIO, or the SPIO in his office, if he is another officer, is also directed to show cause under section 20(1) of the RTI Act, 2005 as to why a penalty shall not be imposed on him for his failure and delay to provide the information to the RTI applicant . The written submission of Inspector of Schools or his SPIO should reach the office of the Commission within 30 (thirty) days from the date of receipt of this order.

(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar
Assam State Information Commn.

Memo No. CCR.38/2014

Dtd. 26.2.2015

Copy to:

1. The Director, Elementary Education, Assam, Kahilipara, Guwahati-19 for information and necessary action.
2. The Deputy Director, Elementary Education, Assam, Kahilipara, Guwahati-19 for information and necessary action.
3. The Inspector of School, Cachar District, Silchar for information and necessary action.
4. Md. Unus Ahmed Mazumder, Advocate, Gauhati High Court, Guwahati-1 for information and necessary action.
5. Computer Section for uploading in the Website.
6. Office File.

Secretary & Registrar
Assam State Information Commission