



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

Case No. : KP(M) 53/2015

Complainant/ appellant : Shri Monojit Singha

Respondent : Director, Elementary Education, Assam

Date of hearing : 26.10.2015

Complaint/ Second : Shri Pinuel Basumatary, IA&AS ( Retd)  
appeal heard by : State Information Commissioner, Assam

**O R D E R**  
26.10.2015

Public Authority was represented by (1) Md. Abdur Razzaque, SPIO and Dy. Director, Elementary Education, Assam Kahilipara, Guwahati, (2) Shri Ratan Das, Computer in the office of the DEE, Assam, and (3) Shri Girindra Nath Haloi, Jt. Asstt.

Complainant Shri Monojit Singha was present.

Complainant Shri Monojit Singha submitted that he has not received the information he had sought for in spite of passage of more than 180 days since his application and clear order of the First Appellate Authority vide No. DEE/RTI/15/2015/8 dtd 3.7.15 to provide the information to him (Complainant) within 5 days from the date of receipt of the said letter and submit an action taken report.

SPIO and Jt. Director, EE, Assam also submitted that on receipt of the said application his predecessor had directed the Dist. Elementary Education Officer, Kamrup (M) to furnish the information sought for within 7 days from the date of receipt of the said letter No. DEE/RTI15/2015/2 dtd 27.4.15

SPIO and Deputy Director, EE, Assam submitted in addition to this written reply dtd 16.10.15 that the said RTI application had been transferred to the DEEO, Kamrup (M) within 10 days i.e. on 27.4.15 and reiterated the position relating to disposal of the First Appeal as already submitted by the appellant.

Shri Ratan Kr. Das, Computer in the office of the DEEO, Kamrup (M) who represented the SPIO of the District office submitted that delay has occurred in furnishing the information sought for by the Applicant on account of preoccupation with various official works and that the same has been now sent to the Applicant through letter No. DEO/K(M)/RTI/MS/2015 dtd 16.10.15 by speed post.

Complainant has submitted that he was yet to receive the said letter with the information he had sought for.

After careful consideration, the Commission has come to the conclusion that the DEEO, Kamrup (M) has failed to provide the information to the Applicant timely without any valid reason.

Commission hereby cautions SPIO/DEEO, Kamrup (M) against recurrence of such delay in providing information to Applicants under the Right to Information Act, 2005 which provides for penalty and recommendation to the Administrative Department to initiate disciplinary proceedings against the SPIOs who are guilty of delay and negligence.

As the applicant is yet to receive the information sent by speed post, the SPIO/DEEO, Kamrup (M) is hereby directed through his representative Shri Ratan kr. Das to have another copy of the letter No. DEEO/K(M) RTI/MS/2015 dtd 16.10.15 delivered to the Applicant at his address.

Applicant/Complainant is at liberty to approach the Commission again, if he is not satisfied with the reply received from the SPIO/DEEO, Kamrup (M).

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam State Information Commission

Memo No. KP(M).53/2015/

Dtd. 26.10.2015

Copy to:

1. The SPIO in the office of the Director of Elementary Education, Assam, Kahilipara, Guwahati-19 for information and necessary action.
2. The District Elementary Education Officer, Kamrup (M), Chatribari, Guwahati-8 for information and necessary action.
3. Shri Monojit Singha, Rly Qrt. No. BB. 81/D, Pandu, New Colony, Near Jai Hind Club, Guwahti-12 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar  
Assam State Information Commission