

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

Case No. : KMJ.1/2014

Complainant/ appellant : Shri Shyamal Dutta

Respondent : Commissioner & Secretary, Education (Ele)
Deartment, Assam

Date of hearing : 05.11.2015

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

O R D E R
05.11.2015

Public Authority was absent without information or leave of absence.

Appellant Shri Shyamal Dutta was present along with (1) Shri Ashutosh Das Choudhury, and (2) Shri Krishna Prasad Guha to assist him.

Perused the case records. The following is the sequence of events

17.12.12	RTI Application submitted to the Commissioner & Secretary, Education (Elementary) Department, Assam
13.2.13	First Appeal filed to Commissioner & Secy, Education (ele) Deptt.
20.2.13	Reply furnishd to the Applicant by SPIO/Under Secretary, Education (Ele) Deptt.
25.4.13	Applicant writes to SPIO/Under Secy, Education (Ele) Deptt. stating in detail that the information received was "incomplete/ incorrect/ false and misleading in all respects".
9.7.13	Detailed information furnished to the Applicant by SPIO
2.8.13	Applicants writes to the SPIO in detail about his not being satisfied with the information received by him.
20.11.13	Second Appeal filed before the Commission
15.10.15	Hearing Notice.

No written statement received from the SPIO in the office of the Commissioner & Secretary, Education (Ele) Deptt..

The Appellant submitted that as conveyed to the SPIO through his letters listed above about his not being satisfied with the information received by him, which according to him is " incomplete/false/misleading."

In the absence of SPIO, the version of the Public Authority on the matter could not be heard.

In view of the facts and circumstances mentioned above and the Appeal submitted by the Appellant, it is hereby ordered that the Commissioner & Secretary to the Govt. of Assam, Education (Ele) Department will cause being the First Appellate Authority in the Department to consider and dispose of the First Appeal submitted by the Appellant dtd 20.2.13 with a speaking order within a period of 21 days free of cost. Needless to mention that any document that is supplied to the Appellant/Applicant by way of information will have to be certified copy.

Considering the allegations of providing incomplete/false/misleading information by the SPIO, the Commissioner & secretary to the Govt. of Assam, Education (Ele) Department may also like to have the entire matter inquired, determined the factual position and take necessary appropriate action on the findings of such inquiry within a period of 40 days from the date of receipt of this order.

The Appeal petition is disposed of.

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar
Assam State Information Commission

Memo No. KMJ.1/2014/

Dtd. 05.11.2015

Copy to:

1. The Commissioner & secretary to the Govt. of Assam, Education (Ele) Department, Dispur, Guwahati- 781 006 for information and necessary action.
2. Shri Shyamal Dutta, 270 No. Madan Mohan L.P. School, PO- Madan Mohan Bazar Sub Post Office, District Karimganj, Assam, pin-788710 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission