

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

Case No. : KMJ.2/2014

Complainant/ appellant : Shri Shyamal Dutta

Respondent : Commissioner & Secretary to the Govt. of Assam, Education
(Elementary) Department, Dispur.

Date of hearing : 20.11.2015

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

O R D E R
20.11.2015

Public Authority is represented by (1) Md Abdur Razzaque, SPIO & Dy. Director, EE, Assam, (2) Shri Dhiraj Kr. Bhattacharya, Jr. Assistant, and (3) Shri Khagen Deka, Statistical Assistant of the said office.

Appellant Shri Shyamal Dutta is present accompanied by (1) Shri Ashuitosh Das Choudhury, and (2) Shri Jaydeep Deb to assist him.

Perused the case records. The following is the sequence of important dates:

4.3.13	RTI Application submitted to Commissioner & Secretary, Govt. of Assam, Education (Ele) Deptt.
18.4.13	Submitted First Appeal to Dy. Secretary, Education (Ele) Deptt.
15.5.13	Under Secy & SPIO directed DEE to furnish the information
12.6.13	Dy. Director, EE submitted information to Dy. Inspector of Schools, Karimganj
3.7.13	Second Appeal filed before the Commission
20.11.13	Repeat Second Appeal
19.10.15	Hearing Notice by Commission
3.11.15	Refixed date for hearing

Perused the written statement dtd 4.11.15 submitted by the Director, Elementary Education, Assam and First Appellate Authority. In his WS the Director has enumerated chronologically the significant dates relating to the handling of this RTI Application. It has been submitted that the copy of the inquiry report of Shri A.B.N. Singh, ACS, the then SDO (Sadar), Karimganj, select list of the candidates have been 'furnished' to the petitioner in the presence of the Commission in its hearing on 12.2.15 and that these have subsequently been forwarded to the petitioner through a letter dated 3.11.2015.

Perused the Commission's order dtd 12.2.15. In its order the Commission had taken note of the submission of the said documents and had directed that if the petitioner desired an authenticated copy, he could obtain it from the office of the Deputy commission, Karimganj, where the report originated.

A perusal of the records relating to Second Appeal Petition No. KP(M) 453/2013 in respect of which an order was issued by the Commission on 12.2.15 and those of KMJ.2/2014 indicate that the two Second Appeal cases filed by Shri Shyamal Dutta are one and the same thing, the apparent reason for creation of a second case namely KMJ.2/2014 being repeat Second Appeal submitted by the Appellant dtd 20.11.13, after the First Appeal dtd. 3.7.13.

The Appellant submitted verbally that he was unable to procure an authenticated copy from the office of the Deputy Commissioner, Karimganj.

After a careful consideration, the Commission hereby reiterates its order of 12.2.15, namely he should approach the office of the Deputy Commissioner, Karimganj for an authenticated copy of the documents, if he so wishes..

With this the Appeal is disposed of.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. KMJ.2/2014/

Dtd. 20.11.2015

Copy to:

1. The Director, Elementary Education, Assam, Kahilipara, Guwahati-19 for information.
2. The Deputy Commissioner, Karimganj District, Assam, PIN-788710 for information and necessary action.
3. Shri Shyamal Dutta, 270 No. Madan Mohan L.P. School, PO- Madan Mohan Bazar Sub-PO, Dist. Karimganj, Assam, PIN-788710 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar
Assam State Information Commission