



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

Case No. : DRN.13/2014

Complainant/ appellant : Mazibar Rahman

Respondent : DEEO, Darrang

Date of hearing : 8-12-2015

Complaint/ Second appeal heard by : Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam

O R D E R

The petitioner Md. Mazibar Rahman as well as the public authority to be represented by the Head Master of Fakirpara M.E. Madrasa ,District- Darrang, Assam both are absent without any information.

The second appeal petition dated 28-1-2014 is taken up for consideration ex-parte in the absence of both the parties on the basis of available case records.

Md. Mazibar Rahman filed and RTI petition dated 10-9-2013 before the Block Elementary Education Officer, Darrang. The BEEO, Dalgaon, Sialmari Block, Dalgaon, District- Darrang, Assam on 13-9-2013 transferred the petition to the Head Master of Fakirpara M.E. Madrasa School. On 30-9-2013 the Head Master of Fakirpara M.E Madrasa, P.O- No. 1 Punia, District- Darrang, Assam , requested for extension of time to furnish the information as he was busy with other works. Thereafter, the Head Master of the Madrasa again wrote to the BEEO on 10-10-2013, informing him that due to election work, he has not been able to furnish the information. This was followed by filing of first appeal petition dated 6-11-2013 by the petitioner before the District Elementary Education Officer, Darrang for non-receipt of information.

From the case records it is seen that the DEEO fixed 1 P.M on 17-1-2013 for hearing of the first appeal petition with information to (1) the BEEO, Dalgaon, Sialmari Block (2) the Head Master of Fakirpara M.E. Madrasa (3) The Resident School Management Committee of the Madrasa and (4) the petitioner Md. Mazibar Rahman.

There is no record to show that the First Appellate Authority took the hearing and passed any order. However, paragraph 9 of the second appeal petition filed by the petitioner mentions that the Head Master of M.E Madrasa came for the hearing but “came out from the room and flew away that place without giving the data”

It appears that he means that the Head Master did not disclose the information on the date of hearing of the first appeal petition.

The position, in brief, is that the Head Master of M.E Madrasa has not yet furnished the information to the petitioner which appears to be admissible under the RTI Act, 2005.

The Commission, therefore, directs the DEEO, Dist- Darrang, Mangaldoi to call for the records pertaining to the RTI petition , fix a convenient date for hearing of the first appeal petition dated 6-11-2013 once again in presence of all the parties concerned and furnish the required information to the petitioner as is admissible under the RTI Act, 2005 with a speaking order within 30 days from the date of receipt of this order.

With the above order, the second appeal petition dated 28-1-2014 is disposed of.

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

Authenticated true copy.

Sd/-

**Secretary & Registrar
Assam State Information Commission**

Memo No.DRN.13 /14 / -A

Dtd. 3-12-2015

Copy to:,

1. DEEO, Dist- Darrang, Mangaldoi for information and necessary action.
2. BEEEO, Dalgaon, Sialmari Block, Dist- Darrang, Assam for information and necessary action.
3. Md. Mazibar Rahman, P.O No-1 Punia, P.S- Kharupetia, Dist- Darrang, Assam for information.
4. Computer Section for uploading in the Website.
- 4.` Office File.

**Secretary & Registrar
Assam State Information Commission**