

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

Case No. : SIC/KMJ.17/2014  
Appellant : Ms. Saswati Chakrabarty  
Respondent : The SPIO, O/o the Director of Secondary Education, Govt. of Assam, Kahilipara  
Date of hearing : 10.02.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
10.02.2016

The Public Authority is represented by Dr. Bhupen Talukdar, SPIO & Joint Director of Secondary Education, Assam. A Written Statement dated 09.02.2016 is also been made.

The Appellant is absent without information.

Perused the W/S. It has been submitted that the Appellant was not one of the applicants for the post in connection with which the information had been sought for and that she had been informed of this by endorsing a letter dated 01.03.2014 addressed by the SPIO, Directorate of Secondary Education, Assam to Govt. of Assam.

Heard the SPIO. It was submitted that the information sought for by the Appellant that related to Assam Secondary Education (Provincialisation) Service Rules, 1982 and its Amendments of 1997 are already available in the Public domain having been uploaded in the website of the Department. It has been submitted a copy of the same could be provided to the Petitioner. Similarly, the documents related to the second point in the RTI Application could also be provided now. It was however submitted that the third point in the RTI Application concerned third party information and that it may not be proper to provide this information to the Petitioner without specific consent of the parties concerned for the reason that the RTI Applicant was not a candidate for the post for which the third parties had applied for.

In the absence of the Appellant or any communication from her, the Commission was not in a position to determine her views or whether she had actually applied for the post concerned.

In view of the facts brought out above, the Commission hereby orders that the SPIO shall furnish, free of cost, to the Appellant, the information pertaining to the first two points in the RTI Application within a period of 10 days of receipt of this order.

The First Appellate Authority (FAA)/Director of Secondary Education, Assam, has not apprised the Commission about the action he may have taken to dispose of the First Appeal dated 20.01.2014 either by a Written Submission/or by deputing his authorized representative to the hearing which he was directed to do through the Commission's hearing notice dated 27.01.2016.

The Commission therefore, hereby orders that the FAA/Director of Secondary Education, Assam shall consider and dispose of, with a speaking order, the aforementioned First Appeal, within a period of 21 days of receipt of this order.

With this, the Second Appeal Petition is disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Dy. Secretary & Dy. Registrar  
Assam State Information Commission

Copy to:

1. The SPIO, Office of the Director of Secondary Education, Govt of Assam, Kahilipara, Guwahati, Pin- 781019 for information and necessary action.
2. The First Appellate Authority/Director of Secondary Education, Govt of Assam, Kahilipara, Guwahati, Pin- 781019 for information and necessary action.
3. Ms. Saswati Chakrabarty, D/o Late Durgesh Chandra Chakraborty, Romoni Road (I), PO- Karimganj, Dist- Karimganj, Assam, Pin- 788710 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Secretary & Dy. Registrar  
Assam State Information Commission