



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

Case No. : SIC/CCR.81/2013  
Appellant : Md. Mehboob Hussain Mazumdar  
Respondent : The SPIO, Directorate of Elementary Education, Assam,  
Kahilipara  
Date of hearing : 15.02.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
15.02.2016

The Public Authority is represented by Md. Abdur Razzaque, SPIO & Dy. DEE, Assam assisted by Sri Khagen Deka, Statistial Assistant.

The Appellant absent.

The Appellant had filed the Second Appeal Petition dated 10.09.2013 after he failed to receive the information he had sought for from the SPIO, Directorate of Elementary Education, Assam in response to his RTI Application dated 07.06.2013, and lack of response from the First Appellate Authority (FAA), i.e. Commissioner and Secretary, Education Department, Govt. of Assam to his First Appeal dated 31.07.2013.

Perused the Written Statement dated 09.02.2016 received from the SPIO and Deputy Director, Elementary Education, Assam. It has been submitted that the available information could not be furnished to the Applicant/Appellant on the ground of misplacement of the concerned file, but that the available information which is the information on point no. 1 of the Application has now been furnished to the Petitioner through letter dated 06.02.2016.

Perused the copy of the letter which has been enclosed with the W/S. It is seen that the information on the remaining points, i.e. point no. 2 and 3 could not be furnished owing to non-availability of the copies of the said documents.

Heard the SPIO. The SPIO submitted that the two letters referred to by the Petitioner appear to have been issued by Education Department, Assam, Govt. of Assam and the same could not be located in spite of verbal contact with the concerned officer of Education Department.

In view of the facts brought out above, it is hereby ordered that should the Appellant still be interested in the copies of the two said documents, no.1 Circular No. A(T)E.853/90/5-A dated 12.12.2000 and no.2 Letter No. EPG-792-90-37 dated 13.11.1990, he may, at his discretion, file the First Appeal Petition before the appropriate FAA, namely Director, Elementary Education, Assam, on receipt of which the FAA shall consider and dispose of the said appeal, with a speaking order, within 30 days as provided for by the RTI Act, 2005.

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, Directorate of Elementary Education, Assam, Kahilipara, Guwahati, Assam, Pin- 781019 for information.
2. The First Appellate Authority/Director of Elementary Education, Assam, Kahilipara, Guwahati, Assam, Pin- 781019 for information.
3. The Commissioner and Secretary, Department of Elementary Education, Assam, Dispur, Guwahati, Assam, Pin- 781006 for information.
4. Md. Mehboob Hussain Mazumdar, lakhipur Road, PO- Silchar, Dist- Cachar, Assam, Pin- 788001 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Dy. Secretary & Dy. Registrar  
Assam State Information Commission