

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

Case No. : SIC/DHR.42/2013  
Complainant : Md.Eyaqub Ali Ahmed.  
Respondent : The SPIO, O/o the District Elementary Education  
Officer (DEEO), Dhubri  
Date of hearing : 01.03.2016  
Complaint heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
01.03.2016

Neither party present. No Written Statement has been received from the SPIO.

However, considering that the matter has been pending for some time, the Commission has decided to go ahead with the hearing on this appointed day *ex parte*.

Perused the case records. It is seen that the Complainant had filed the Complaint dated 16.07.2013 being aggrieved at not being able to deposit the cost of photocopying which he had been asked to deposit by the SPIO through letter no. EED-318/RTI/06/12/8621 dated 15.12.2012 and not receiving the information he had sought through his RTI Application dated 04.12.2012. He has further stated that he could not deposit the said amount inspite of visiting the office of the SPIO several times over a period of time and that he failed to receive any response to his First Appeal dated 12.03.2013 from the First Appellate Authority(FAA)/DEEO, Dhubri to whom he had appealed.

The failure of the SPIO to apprise the Commission on the action taken by them to furnish the information indicates that the SPIO, office of the DEEO, Dhubri has not dealt with the RTI Application with the seriousness it deserves and he has failed to perform his duty mandated by the RTI Act, 2005. Similarly, the FAA/DEEO, Dhubri has failed to perform his duty under the said Act in not only not disposing of the First Appeal but also in neglecting to apprise the Commission on the status of the First Appeal.

In the absence of the Complainant in today's hearing and any written communication from him, the Commission could not determine as to whether he has received the information he had sought for subsequent to filling the Complaint dated 16.07.2013.

In view of the facts brought out above, the Commission hereby orders the following –

1. The SPIO, office of the DEEO, Dhubri shall furnish the information as sought for by the Applicant, free of cost, within a period of 10 days of receipt of this order,
2. The First Appellate Authority/DEEO, Dhubri shall consider and dispose of the First Appeal dated 12.03.2013, with a speaking order, within a period of 21 days of receipt of this order.
3. Both the SPIO and FAA shall henceforth be more diligent in responding to RTI Applications/First Appeals in compliance with the RTI Act, 2005.

With this, the Complaint case is disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Deputy Registrar  
Assam Information Commission

Copy to:

1. The SPIO, office of the District Elementary Education Officer, PO- Dhubri, Dist-Dhubri, Assam, Pin- 783301 for information and necessary action.
2. The First Appellate Authority/District Elementary Education Officer, PO- Dhubri, Dist-Dhubri, Assam, Pin- 783301 for information and necessary action.
3. Md. Eyaqub Ali Ahmed, Vill- Beltari, PO- Raniganj, dist- Dhubri, Assam, Pin- 783345 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission