



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

Case No. : SIC/DHR.69/2013  
Complainant : Md. Mohibul Hoque Khandakar  
Respondent : The SPIO, O/o the  
1. Inspector of Schools, Dhubri  
2. District Elementary Education Officer, Dhubri  
Date of hearing : 18.03.2016  
Complaint heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
18.03.2016

The Complainant present along with another advocate to assist.

The SPIO absent. However, a Written Statement dated nil is received. A Written Statement dated 17.03.2016 has been also received from the BEEO, Gauripur.

The Complainant had submitted a Complaint with the Commission dated 24.01.2014 on the ground of non-compliance of the Commission's order dated 07.11.2013.

Perused the case record. It is seen that the Commission had heard the Second Appeal dated 17.08.2013 on 07.11.2013 and passed an order (1) for the SPIO, office of the DEEO, Dhubri to furnish copies of the relevant records containing the information as asked for by the Applicant within 20 days from the date of receipt of the order, and (2) the deemed SPIO/Headmaster, Binnachara M.V. School to submit his Written Statement mentioning the exact date of receipt of the RTI Application by him and the date of furnishing the information, if any, and explaining as to why he could not furnish the required information within the stipulated period and also why penalty u/s 20 (1) of the RTI Act, 2005 shall not be imposed on him for his failure.

Perused the aforementioned W/S of the BEEO, Gauripur. In his submission, the BEEO has mentioned the dates of the movement of the RTI Application and has enclosed a copy of the letter dated 15.03.2016 received from the Headmaster of the said school which explains the circumstances under which the information sought for could not be provided in time because construction work was yet to be completed and the information was therefore not ready. It has been submitted that on 30.07.2013 the previous Headmaster had visited the Applicant with a view to handover the information and that the same was refused to be accepted by the Applicant as being unsatisfactory. It has further been added that the current incumbent had subsequently, tried to contact the Applicant with a view to provide the information without success. It has been added that the information was ready to be provided to the Applicant.

Heard the Complainant. It has been submitted that he had refused to receive the documents were not duly authenticated and did not meet the queries he had made in the RTI Application.

The facts brought out above indicate that the DEEO, Dhubri has failed to comply with the order of the Commission dated 07.11.2013 by delegating the entire responsibility to the School. Therefore, the Commission hereby orders that the DEEO shall ensure furnishing of

the information/documents duly authenticated in accordance with the RTI Application dated 11.03.2013 originally submitted his office, within a period of 25 days of receipt of this order.

It is further ordered that the Headmaster of Binnachara M.V. School as deemed SPIO shall take all necessary steps to submit the information/documents to the SPIO, office of the DEEO, Dhubri for providing them to the Applicant.

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

Memo No. SIC/DHR.69/2013/ -A

Dtd. 18.03.2016

Copy to:

1. The SPIO, Office of the District Elementary Education Officer, Dhubri, P.O.- Dhubri, Dist- Dhubri, Pin- 783301 for information and necessary action.
2. The SPIO/Headmaster, Binnachar M.V. School, Vill- Binnachar, P.O.- Baladoba, Dist- Dhubri, Assam, Pin-783334 for information and necessary action.
3. The First Appellate Authority/District Elementary Education Officer, Dhubri, P.O.- Dhubri, Dist- Dhubri, Pin- 783301 for information
4. Md. Mohibul Hoque Khandakar, Advocate, Dhubri Bar Association, P.O.- Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar  
Assam Information Commission