



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

Case No. : SIC/KMJ.24/2014
Complainant : Md. Abdul Hamid
Respondent : The SPIO, O/o the Director of Madrassa Education,
Kahilipara, Assam
Date of hearing : 22.03.2016
Complaint heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
22.03.2016

The Public Authority is represented by Shri Sanjib Kr. Phukan, SPIO/A.A.O. along with an assistant Ms. Syeda Moliha Sultana, Jr. Asstt., office of the Director of Madrassa Education, Assam. A Written Statement dated 05.03.2016 received from the Director, Madrassa Education, Assam.

The Complainant is absent. However, a Written Statement dated 14.03.2016 received.

Perused the case record. It is seen that the Complainant had not followed the procedure for applying for information from Public Authorities and instead of applying to the concerned SPIO he had submitted his RTI Application dated 24.04.2014 to the Commission with the request to transfer the Petition to Director, Madrassa Education, Assam. It is also seen that he had not submitted First Appeal with the First Appellate Authority. On receipt of the RTI Application, the Commission had transferred the same to Directorate, Madrassa Education, Assam through a letter dated 05.05.2014.

Perused the W/S from Director, Madrassa Education, Assam. It has been submitted that part of the information had been furnished to the Applicant through a letter dated 29.09.2014 and for furnishing the information on another half of the Application, the same had been transferred to the Principal of the concerned school, *i.e.* Deorail Title Madrassa. It has been submitted as “the information and documents has already been furnished to the Petitioner”, no penalty under the Act should be imposed. It is evident that the Director’s submission is clearly erroneous in that full information had not been provided to the Appellant.

Perused the aforementioned W/S received from the Complainant. It is seen that the Complainant was not satisfied with whatever information was received by him and stated that the same was incorrect and incomplete and has detailed the reasons for his views.

As the Complainant has detailed its reasoning, it would be proper for the Director, Madrassa Education, Assam to review the same and take appropriate action to explain the position to the Complainant.

From the facts brought out above, the Commission hereby orders that the Director, Madrassa Education, Assam shall carefully and thoroughly review the issues raised by the Complainant in his Complaint letter/W.S. dated 14.03.2016 and take appropriate action to provide the remaining information and to give a para wise explanation to the Complainant with reference to the latter’s letter dated 14.03.2016.

The Commission also orders that the Principal, Deorail Title Madrassa shall take all necessary action to provide the information/documents in this connection to Director, Madrassa Education, Assam for the purpose of furnishing them to the Complainant/Applicant within 25 days of receipt of this order. Upon receipt of the information/documents from the

said school, the Director, Madrassa Education shall provide the information/documents along with the explanation as directed above to the Complainant/Applicant, within a period of 10 days of receipt of the information/documents from the said school.

Send a copy of the W/S dated 14.03.2016 by the Complainant/Applicant along with the enclosures to the Director, Madrassa Education, Assam.

The Commission further advises the Complainant/Applicant that he follow the procedure prescribed by the RTI Act, 2005 and the relevant orders of Government of Assam in respect of seeking information from a Public Authority through the said Act.

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/KMJ.24/2014/ -A

Dtd. 22.03.2016

Copy to:

1. The SPIO, Office of the Director of Madrassa Education, Assam, Kahilipara, Guwahati, Pin-781019 for information and necessary action.
2. The Principal, Deorail Title Madrassa, P.O.- Badarpur, Dist- Karimganj, Assam, Pin-788806 for information and necessary action.
3. Md. Abdul Hamid, C/o Furkania Stores (Near Police Station), PO- Badarpur, Dist- Karimganj, Assam, Pin- 788806 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission