



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

Case No. : JRT.12/2014

Complainant/ appellant : Shri Rajiv Kumar Dutta

Respondent : Commissioner & Secretary, Govt. of Assam, Education Department

Date of hearing : 18. 3.2016

Complaint/ Second Appeal heard by : Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam

O R D E R
18.3.2016

The Public Authority is represented by Smti. S.G. Kalita, ACS SPIO & Deputy Secretary to the Govt. of Assam, Secondary Education Department. The petitioner Shri Rajiv Kr. Dutta is present along with Advocate Shri Debabrata Banerjee. The Second Appeal petition dtd. 12.2.14 is taken up for hearing in presence of both the parties in pursuance of this Commission's earlier order dtd 15.3.14.

This Commission passed two clear orders on 15.3.14

- (a) The SPIO of Education Department, Govt. of Assam was directed to furnish copies of the relevant documents to the appellant within 15 days from the date of receipt of that order unless claimed to be exempted from disclosures under the relevant provisions of the RTI Act, 2005
- (b) The concerned SPIO was asked to submit his written statement stating, inter alia, as to why he could not furnish the information within the stipulated period and why penalty u/s 20 of the RTI Act should not be imposed on him for his failure to do so. He was required to submit written statement within 30 days from the date of receipt of that order.

Till today nothing has been heard from the SPIO of Education Department about compliance of this Commission's earlier order dtd 15.3.14. Nor has any written submission been received. So, the position as it stands today is that this Commission's earlier order dtd 15.3.14 has not been complied with by the Department of Secondary Education, Govt. of Assam.

This Commission, therefore, directs the present SPIO of the Secondary Education Department, Govt. of Assam to furnish within 15 days from the date of receipt of this order names of all the SPIOs and deemed PIOs of Secondary Education Department for taking further necessary action by this Commission.

Fix 18.4.2016 at 11.30 for next date of hearing.

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ JRT.12/2014/

Dtd. 18.3.2016

Copy to:

1. The SPIO & Deputy Secretary to the Govt. of Assam, Secondary Education Department, Dispur, Guwahati-6 for information and necessary action.
2. Shri Rajiv Kumar Dutta, Vill- Changeli, PO- Changeligaon, Jorhat, Assam, PIN-785010 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission