



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

Case No. : SIC/DHR.2/2013
Appellant : Md. Kanser Ali
Respondent : The SPIO, Office of the
1. Block Elementary Education Officer, Gauripur, Dhubri
2. Headmaster, 2003 No. Khapara L.P. School, Dhubri
Date of hearing : 06.04.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
06.04.2016

The Public Authority is represented by Md. Nurul Hoque, Headmaster, No. 2003 Khapara L.P. School, Kalapakani, Dhubri. He has submitted a Written Statement dated 05.04.2016 made by B.E.E.O., Gauripur along with its enclosures including a letter from him (Headmaster) dated 05.04.2016 addressed to the B.E.E.O. reporting on the status of the case.

Perused the W/S. It has been submitted that the information was handed over to the Applicant on 26.05.2012 and the forwarding document to that effect bears a signature of the Applicant/Appellant with the words 'received'.

Perused the case records. It is seen that the Applicant/Appellant had filed the First Appeal and Second Appeal dated 15.06.2012 and 31.08.2012 stating that he had not received the information he had sought for through his RTI Application dated 23.04.2012. It is therefore evident that the Appellant had suppressed the fact that he had received the information handed over to him as stated above on 26.05.2012 and had indeed acknowledged the same. He has thus misrepresented a significant fact and preferred the said Appeals without ground and by suppressing an important fact.

In view of the facts brought out above, the Second Appeal Petition is hereby disposed of as having no ground, with the direction to the Appellant, Md. Kanser Ali to desist from such misrepresentation of fact in submitting Appeals under the RTI Act, 2005 as such an act has the potential of misleading Public Authorities and the Commission in matters arising from the said Act.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar

Assam Information Commission

Memo No. SIC/ DHR.2/2013/ -A

Dtd. 06.04.2016

Copy to:

1. The SPIO, office of the Block Elementary Education Officer, Gauripur Educational Block, Dhubri, PO- Gauripur, Dist- Dhubri, Assam, Pin- 783331 for information.
2. The SPIO/Headmaster, 2003 No. Khapara L.P. School, Under Gauripur Educational Block, Vill- Kalapakani Pt.-II, P.O.- Patamari, Dist- Dhubri, Assam, Pin-783324 for information.
3. The First Appellate Authority/District Elementary Education Officer, Dhubri, PO- Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information.
4. Md. Kanser Ali, S/o- Bosir Uddin Sk, Vill- Kalapakani Pt.-II, P.O.- Patamari, Dist- Dhubri, Assam, Pin- 783324 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Registrar
Assam Information Commission