

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

Case No.	: SIC/DHR.6/2013
Appellant	: Md. Salim Ahmed.
Respondent	: The SPIO, O/o the
	 Director, Elementary Education, Assam. Deputy Secretary, Education (Elementary) Deptt., Dispur.
Date of hearing	: 19.04.2016
Second Appeal heard by	: Shri Pinuel Basumatary,
	State Information Commissioner, Assam
<u>O R D E R</u> 19.04.2016	

The Public Authority is represented by Smt. Jinti Das, SPIO & Dy. Secretary, Education (Elementary), Depptt. assisted by Sri Nitul Barman, Sr. Assistt., Education (Elementary) Depptt., Assam, Dispur and Smt. Rumi Choudhury, SPIO & Dy. Director assisted by Sri Dinesh Chakravorty, Sr. Assistt., Directorate of Elementary Education, Assam.

Received Written Statements from the Commissioner & Secretary, Elementary Education Department, SPIO/Deputy Secretary, Elementary Education Department, Dispur and SPIO/Deputy Director, Elementary Education Department, Assam dated 12.04.2016, 08.04.2016 and 18.04.2016 respectively. The W/S's are taken on record.

The Appellant had filed the Second Appeal dated 30.03.2013 being aggrieved at not receiving the information he had sought for through his RTI Application dated 09.11.2012 and response to his First Appeal submitted to Commissioner & Secretary, Elementary Education Department dated 08.01.2013.

Perused the aforementioned W/S submitted by Commissioner & Secretary, Elementary Education Department, Dispur. It has been submitted that the First Appeal was heard and an order issued on 13.11.2013 to the effect that the Appellant was heard as also the concerned SPIOs and that it was submitted that the inquiry report relating to which information was sought was not available.

Through the W/S dated 08.04.2016, it has been submitted that the fact that the said report had not been received by the Directorate was communicated to the Petitioner through a letter dated 01.10.2013.

The above position has been reiterated by the SPIO/Deputy Director, Elementary Education Department, Assam through W/S dated 18.04.2016

In the absence of the Appellant in today's hearing or any communication from him, it could not be ascertained as to whether he was satisfied with the information provided to him as mentioned above. However, it is seen that one of the reasons for his Second Appeal was nondisposal of his First Appeal. As seen from the above, his First Appeal was indeed disposed of by the First Appellate Authority and he was himself present in the hearing taken by the First Appellate Authority. In the absence of any communication to the contrary, it is presumed that the Appellant is not taking the matter further and the Commission therefore, decides to dispose of the Second Appeal Petition.

Sd/-

Pinuel Basumatary State Information Commissioner, Assam Panjabari, Guwahati

Authenticated true copy. Sd/-Deputy Registrar Assam Information Commission Memo No. SIC/ DHR.6/2013/ -A

Copy to:

- 1. The SPIO, office of the Director of Elementary Education, Assam, Kahilipara, Guwahati, Pin-781019 for information.
- 2. The SPIO/Deputy Secretary, Govt. of Assam, Elementary Education Department, Dispur, Guwahati, Pin-781006 for information.
- 3. The First Appellate Authority/Commissioner & Secretary to the Govt. of Assam, Elementary Education Department, Dispur, Guwahati, Pin- 781006 for information.
- 4. Md. Salim Ahmed, S/o- Lt. Foyez Uddin, Vill- Bauluri, P.O.- Chirakuti Bazar, Dist- Dhubri, Assam, Pin- 783330 for information.
- 5. Computer Section for uploading in the Website.
- 6. Office File.

Deputy Registrar Assam Information Commission