

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

Case No. : SIC/SNR.2/2015  
Appellant : Sri Dibyojyoti Hazarika  
Respondent : The SPIO/Member Secretary, Naharbari L.P School  
Under BEEO/BMC, Naduwar Educational Block  
Date of hearing : 17.05.2016  
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
17.05.2016

The petitioner Sri Dibyojyoti Hazarika is present. He has stated that seven cases had been fixed for hearing today which are absolutely similar and all the seven Public Authority has come for the hearing. As such, all the seven cases are taken up for hearing together.

The Public Authority is represented by i) Sri Dhajen Basumatary, Member Secretary, Naharbari L.P School; ii) Sri Ratul Ranjan Saikia, Ex-Member Secretary, Laltapu Habidoloni L.P School; iii) Rajendra Kalita, Ex-Member Secretary, Dekorai TE No.5 L.P School; iv) Sri Amar Barnat, Ex-Member Secretary, Katarkati Mirihola L.P School; v) Sri Ram Hazarika, Ex-Member Secretary Pachim Katarati L.P School; vi) Md. Sofiuddin Ahmed, Member Secretary, Bhojmari Bhari Chuburi L.P School; vii) Sri Satrugan Nag, Ex-Member Secretary, Adabhati L.P School.

The petitioner Sri Dibyojyoti Hazarika filed the RTI applications dated 16.05.2014 seeking information from the DEEO, Sonitpur in connection with construction of 59 numbers of new L.P Schools which were upgraded from EGS centre.

The DEEO, Sonitpur vide letter dated 26.05.2014 transferred all the 59 RTI applications to the DMC, SSA, Sonitpur with a direction to submit a detailed information to the petitioner directly.

The petitioner filed his First Appeal petition before the SPIO, office of the DEEO, Sonitpur on 05.07.2014 as he was not provided with the information within the time limit. On 17.07.2014, the DMC, SSA, Sonitpur furnished the information to the petitioner on 46 numbers of RTI applications with detailed data against 59 numbers of RTI applications with a copy to Mission Director, SSA, Sonitpur as well as SPIO, office of the DEEO, Sonitpur and others. The DMC, SSA, Sonitpur also transferred the RTI applications to the BEEO, BMC, Naduar Educational Block with a direction to submit a reply by him within 3 days i.e. 19.07.2014 without fail.

The petitioner on 24.07.2014 has sent a reply to the SPIO, office of the DEEO, Sonitpur rejecting the data furnished by the concerned authorities on 9 grounds. On 08.09.2014, the petitioner issued a reminder to the First Appellate Authority (FAA)/DEEO/DMC, Sonitpur that till date no order had been passed in connection with the 59 numbers of RTI Applications by the FAA and requested the FAA to pass appropriate order under section 19 and 20 (1) of the RTI Act, 2005 otherwise the petitioner would be compelled to approach the Information Commission.

The petitioner on 13.10.2014 filed the Second Appeal petition. In his appeal petition, he stated that the required information was not furnished to him nor any order given by the FAA, except a verbal assurance that the process was on without any justification. He also stated that he visited the office several times to know the status of the First Appeal petition and ultimately reminded the FAA on 08.09.2014 to pass appropriate order under section 19 and 20 (1) of the RTI Act, 2005 but no reply was received by him and hence the Second Appeal. He has stated that the Second Appeal was not filed within the time limit of 90 days from the date of filing of the First Appeal and that 9 days delay occurred due to false assurance of the FAA and hence should be condoned. He also claimed Rs 250/- per day as penalty for non-furnishing of information.

On careful perusal of the relevant documents available, it appears that after filing of the First Appeal on 05.07.2014, the DMC, SSA on 17.07.2014 (i.e. 12 days from the filing of the

First Appeal Petition) had furnished the information to the petitioner on 46 numbers of RTI applications. It also appears that the DMC, SSA on the same date i.e. 17.07.2014 had transferred the RTI applications to the BEEO for furnishing information to the petitioner within 3 days. No record is available on the action taken by the BEEO nor any record is available on the information furnished to the petitioner. The petitioner also stated that the information sent to him was not available with him and he was not aware of information received on which 46 schools.

The petitioner on 24.07.2014 filed a Rejection petition before the SPIO, DEEO, Sonitpur that he had rejected the data furnished by the DEEO on 9 grounds. On perusal of the grounds of rejection such as submission of data is not as required, detail cost of labours and materials, percentage of progress and remark portion of the progress report is silent and no reasonable cause for non-completion of schools etc. are general in nature. It is not specific as to what data has not been furnished. Hence, the grounds of rejection cannot be accepted.

During the hearing, the petitioner stated that he is now satisfied with the developments of all the L.P schools and to that effect he has given a written statement that he is no longer interested in getting the information as sought for earlier on the 59 RTI applications, except for one i.e. Narayanpur L.P. School.

In view of the facts and circumstances stated above and the written statement submitted by the petitioner today, the Second Appeal petition dated 13.10.2014 is disposed of and the Commission directs the petitioner to file a separate petition on Narayanpur, L.P School, if he so desires.

As the petitioner stated that all the RTI applications are same and is of same nature seeking similar information, this order will be applicable to all the 59 cases. A copy of the order be kept in all the 59 related files.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/SNR.2/2015/ -A  
Copy to:

Dtd. 17.05.2016

1. The SPIO, Office of the District Elementary Education Officer/DMC, SSA, Sonitpur, Assam for information and to circulate the copy of the order to all the concerned schools (List enclosed).
2. The First Appellate Authority/District Elementary Education Officer/DMC, SSA, Sonitpur, Assam for information and necessary action.
3. The SPIO, Office of the Block Elementary Education Officer/BMC, Naduwar Educational Block, SSA, Sonitpur, Assam for information
4. Sri Dibyojyoti Hazarika, S/o Rewati Mohan Hazarika, Vill- Ujarachuk, PO- Nandikeswar, Dist- Sonitpur, Assam, Pin- 784180 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Registrar  
Assam Information Commission

Sl. No	Name of the School
1.	Member Secretary, Naharbari L.P School, Sonitpur
2.	Member Secretary,Laltapu Habidoloni L.P School, Sonitpur
3.	Member Secretary,Dekorai TE No.5 L.P School, Sonitpur
4.	Member Secretary,Katarkati Mirihola L.P School, Sonitpur
5.	Member Secretary,Pachim Katarati L.P School, Sonitpur
6.	Member Secretary, Pub Bhojmari Bhari Chuburi L.P School, Sonitpur
7.	Member Secretary, No1, Adabhati L.P School, Sonitpur
8.	Member Secretary,No.4, Bhojmari L.P School, Sonitpur
9.	Member Secretary,Monaipur L.P School, Sonitpur
10.	Member Secretary, Karaigani 2, L.P School, Sonitpur
11.	Member Secretary, Pub Kalakati L.P School, Sonitpur
12.	Member Secretary, Uttar Bakarapatta L.P School, Sonitpur
13.	Member Secretary, Hatingabari Amarakacha L.P School, Sonitpur
14.	Member Secretary, Karayani chapari B, L.P School, Sonitpur
15.	Member Secretary, No.2 Rangachakua L.P School, Sonitpur
16.	Member Secretary, Nadidhar Munda Basti L.P School, Sonitpur
17.	Member Secretary, Bengali Basti L.P School, Sonitpur
18.	Member Secretary, Kalakati 2, L.P School, Sonitpur
19.	Member Secretary, Kachamari L.P School, Sonitpur
20.	Member Secretary, Gouripur Monal basti L.P School, Sonitpur
21.	Member Secretary, Bakarapatta L.P School, Sonitpur
22.	Member Secretary, No.1 Nonkey Gotaimari L.P School, Sonitpur
23.	Member Secretary, No.3 Bharati Chapori L.P School, Sonitpur
24.	Member Secretary, Diplanga TE No2 Line L.P School, Sonitpur
25.	Member Secretary, Dekerai TE, L.P School, Sonitpur
26.	Member Secretary, No.1 Laltapu L.P School, Sonitpur
27.	Member Secretary, Dipakocha L.P School, Sonitpur
28.	Member Secretary, Kherkari L.P School, Sonitpur
29.	Member Secretary, Karayani L.P School, Sonitpur
30.	Member Secretary, Milanpur L.P School, Sonitpur
31.	Member Secretary, No.2 Kachamari L.P School, Sonitpur
32.	Member Secretary, Kamar Basti L.P School, Sonitpur
33.	Member Secretary, Narayanpur L.P School, Sonitpur
34.	Member Secretary, No.1 Gotaimari L.P School, Sonitpur
35.	Member Secretary, Diplenga TE No 14 Line L.P School, Sonitpur
36.	Member Secretary, Omtola L.P School, Sonitpur
37.	Member Secretary, Dighali Chaponi L.P School, Sonitpur
38.	Member Secretary, Bikrampur L.P School, Sonitpur
39.	Member Secretary, No.2 Goloimari L.P School, Sonitpur
40.	Member Secretary, No.1 Baliguri L.P School, Sonitpur
41.	Member Secretary, Gela Hatinga L.P School, Sonitpur
42.	Member Secretary, Udoipur L.P School, Sonitpur
43.	Member Secretary, Chaipur L.P School, Sonitpur
44.	Member Secretary, Minte Basti L.P School, Sonitpur
45.	Member Secretary, New Borgang L.P School, Sonitpur
46.	Member Secretary, Pachim Kurati L.P School, Sonitpur
47.	Member Secretary, Bahbari L.P School, Sonitpur
48.	Member Secretary, Gariram L.P School, Sonitpur
49.	Member Secretary, Monai TE No. 8 Line L.P School, Sonitpur
50.	Member Secretary, No.2 Laltapu L.P School, Sonitpur
51.	Member Secretary, Mirihola L.P School, Sonitpur
52.	Member Secretary, Chandra Ali L.P School, Sonitpur
53.	Member Secretary, Barman Basti L.P School, Sonitpur
54.	Member Secretary, Pub-Katarati L.P School, Sonitpur
55.	Member Secretary, Karagani L.P School, Sonitpur
56.	Member Secretary, Brahmagaon L.P School, Sonitpur
57.	Member Secretary, Betguri L.P School, Sonitpur
58.	Member Secretary, Pala Seni L.P School, Sonitpur
59.	Member Secretary, Kurati L.P School, Sonitpur