



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

Case No. : SIC/DRN.43/2015
Complainant : Md. Anowar Hussain.
Respondent : The SPIO, O/o the Deputy Inspector of Schools, Guwahati.
Date of hearing : 24.05.2016
Complaint heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
24.05.2016

The Complainant present.

Sri Durlav Ch. Deka, Head Asstt. and Sri Budhindra Ch. Nath Sr. Asstt. are present as representatives of Dy. Inspector of Schools, Guwahati. A Written Statement dated 23.05.2016 received from the Dy. I.S., Guwahati which is taken on the case record.

Perused the W/S. It has been submitted that the information sought for by the Applicant through his Application dated 02.01.2015 had been furnished through letter no. DIS(G)/RTI/320/2014-15/15253 dated 19.01.2015. It has further been submitted that the Applicant had not contacted the SPIO after receiving the information.

Heard the Complainant. He submitted that his request was to take penal action on the SPIO, office of the Dy. I.S., Guwahati for non-furnishing of information under the RTI Act, 2005 within the stipulated time and for submission of incomplete information owing to negligence of duties.

Perused the case record. It is seen that the Complaint was about what the Applicant considered incomplete and incorrect information. A copy of the Complaint by Md. Anowar Hussain had been forwarded to the SPIO through the Commission's hearing notice dated 10.05.2016 to apprise the Commission about the detailed status of the receipt of the Application and furnishing of information and to explain as to why penalty should not be imposed on him/her under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days.

The W/S does not provide the detailed information sought for by the Commission and has thus not complied with the directions of the Commission.

In view of the facts brought out above, the Commission hereby orders that the SPIO, office of the Dy. I.S., Guwahati shall submit a Written Statement before the Commission, within 15 days of receipt of this order, the details concerning the date of receipt of the RTI Application from Md. Anowar Hussain, the date of actual dispatch of the part information that had been furnished to him and reason for not providing all the information sought for by the Applicant point wise in accordance with the Application. While doing so, the SPIO shall apprise and respond in details each of the issue raised by the Applicant in his Complaint letter dated 04.05.2015 as submitted to the Commission and forwarded by the Commission to him (the SPIO) through the aforementioned hearing notice, including his charges of the information supplied to him being "baseless and incorrect" and penal action arising therefrom.

As already sought for through the aforementioned hearing notice, the SPIO shall explain as to why penalty shall not be imposed on him/her under Section 20 (1) of the RTI Act, 2005 for

his/her failure to furnish the complete information sought for to the Applicant within the stipulated time period.

Further, the SPIO shall furnish the name(s) of the SPIOs and the First Appellate Authorities along with their incumbency periods in the Written Statement.

Fix next date of hearing in 5 (five) weeks' time.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/DRN.43/2015/39 -A

Dtd. 24.05.2016

Copy to:

1. The SPIO, office of the Deputy Inspector of Schools, Guwahati, Chatribari Road, Rihabari, Guwahati-781008 for information and necessary action.
2. Md. Anowar Hussain, Daniel Path, Sahitya Nagar, Ward No. 2, Mangaldai, Dist- Darrang, Assam, Pin- 784125 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Deputy Registrar
Assam Information Commission