

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

Case No. : DMJ.5 /2014
Complainant/ Appellant : Shri Kirtikamal Gogoi
Respondent : Director of Elementary Education, Assam
Date of hearing : 24.6.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

24.6.2016

The petitioner Shri Kirtikamal Gogoi is represented by his Advocate Shri Anil Gohain accompanied by another Advocate Shri Robin Kumar Dutta. The public authority is represented by :- (1) Smti. Rumi Choudhury, SPIO & Dy. Director, Elementary Education, Assam Kahilipara, (2) Dr. Basanti Bordoloi, Dy. DEE of the office of the DEE, Assam, (3) Smti. Meghali Baruah, Statistical Assistant of the DEE's office, and (4) Shri Nripendra Nath Sarma, Sr. Assistant of the office of the DEE, Assam, Kahilipara, Guwahati 19. The second appeal petition dtd 5.2.14 is taken up for further hearing in pursuance of this Commission's earlier order dtd 30.5.16.

The SPIO & Dy. Director of the office of the Directorate of Elementary Education Assam and Dy. DEE, Assam Dr. Basanti Bordoloi filed two identical statements which are entered into the case records.

In response to this Commission's specific query whether the information sought for by the petitioner vide his RTI petition dtd. 10.11.13 is available or not in the office of the Director of Elementary Education, Assam, the Deputy DEE, Dr. Basanti Bordoloi submitted another written statement dtd 24.6.16 detailing the position point-wise before this Commission with a copy to the petitioner. On direction from this Commission Dr. Basanti Bordoloi also furnished two lists of teachers as annexure I & II to the petitioner in presence of this Commission.

The petitioner produced before this Commission, a letter dtd 7.5.16 written by the Dy. DEE, Dr. Basanti Bordoloi stating that the sought for information were not available and hence it could not be provided, although the same information

has been provided today in the form of annexure I & II. The Dy. DEE submitted that at that point of time the information were not available in the office of the Directorate of EE. She had to depute concerned Sr. Assistant of the Directorate, Shri Nripendra Nath Sarma to Dhemaji to collect the information which he furnished to the petitioner today as annexure I & II.

This Commission observes that the Dy. DEE, Dr. Basanti Bordoli could have informed the petitioner that steps were being taken to collect the information from the office of the District Elementary Education Officer, Dhemaji by deputing Sr. Assistant, since the sought for information was not available with DEE. She is directed to be more careful in dealing with the RTI matters in future.

With the above order, the second appeal petition is disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ DMJ.5/2014/139-A

Dtd. 24.6.2016

Copy to:

1. The SPIO & Deputy Director of Elementary Education of the office of the Director of Elementary Education, Assam, Kahilipara, Guwahati-19 for information.
2. Dr. basanti Bordoloi, Deputy Director, Elementary Education of the office of the Directorate of Elementary Education, Assam, kahilipara, Guwahati-19 for information and necessary action.
3. Shri Kirtikamal Gogoi, President, Dhemaji District Karmachari Parishad, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission