



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

Case No. : SIC/GLT.5/2016  
Complainant : Sri Jibeswar Kalita.  
Respondent : The SPIO, O/o the Inspector of Schools, Golaghat.  
Date of hearing : 08.07.2016  
Complaint heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
08.07.2016

The Complainant present.

The SPIO absent.

Perused the case record. It is seen that the Commission had heard the Complaint case and issued an order on 26.05.2016 based on the deposition by the Complainant and the W/S submitted by the SPIO in his absence. The following was the Commission's order in this regard –

1. The SPIO, office of the Inspector of Schools, Golaghat shall provide the information to the Applicant/Complainant as the latter has stated to have not received the information sent through letter dated 08.06.2015, within a period of 10 days of receipt of the order under intimation to this Commission;
2. The D.C., Golaghat shall consider and dispose of the First Appeal, with a speaking order, within a period of 21 days of receipt of the order.

The Commission had also observed that, as the case was a Complaint under Section 18 (1) of the RTI Act, 2005, proceedings for non-compliance of the provisions of the said Act would be, drawn up, if necessary on the outcome of today's hearing.

Heard the Complainant. He submitted that he has not received the copy of the letter dated 08.06.2015 through which the SPIO had stated to have sent the information to him. He added that he has not received any communication from the D.C., Golaghat as First Appellate Authority with regard to his First Appeal dated 18.06.2015.

In the absence of the SPIO and any Written Statement from him, the Commission could not determine as to whether he has taken any action in compliance with the Commission's said order dated 26.05.2016. Further, in the absence of any Written Statement or an authorized representative of the D.C., Golaghat in today's hearing, the Commission could not determine as to whether the First Appellate Authority had taken any action to dispose of the above mentioned First Appeal in compliance with the Commission's said order.

In view of the facts brought out above, the Commission hereby orders as follows –

1. The SPIO, office of the Inspector of Schools, Golaghat shall submit a Written Statement before the Commission as to why penal action as provided for by the RTI Act, 2005, should not be initiated against him/her for failure to take action in accordance with the said Act;
2. The SPIO, office of the Inspector of Schools, Golaghat shall inform the Commission the names of the SPIOs along with their designation and period of incumbency in case there has been change in incumbents; and

3. The First Appellate Authority/D.C., Golaghat shall submit a Written Statement before the Commission to apprise the action taken, if any, to dispose of the First Appeal Petition within the stipulated time after receiving it from the Appellant, or after receiving the above mentioned order of the Commission. He shall also cause the SPIO to comply with the relevant provisions of the said Act and these orders.

The above Written Statements before the Commission may be made within 15 days of receipt of this order.

Fix another date of hearing in 6 (six) weeks' time.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/GLT.5/2016/ -A

Dtd. 08.07.2016

Copy to:

1. The SPIO, office of the Inspector of Schools, Golaghat Dist- Golaghat, Assam for information and necessary action.
2. The First Appellate Authority/Deputy Commissioner, Golaghat, Dist- Golaghat, Assam for information and necessary action.
3. Sri Jibeswar Kalita, General Secretary, Antaranga Sanjog Samity, Kumargaon, Dergaon, P.O.- Dergaon, Dist- Golaghat, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission