



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

Case No. : **KP(M) 230/2014**

Complainant/ appellant : **Sri Gobinda Ch. Kalita**

Respondent : **Directorate of Secondary Education**

Date of hearing : **08-06-2016**

Complaint/ Second appeal heard by : **Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri Gobinda Ch. Kalita is absent without any information. The public authority is represented by Dr. Bhupen Talukdar, AES, SPIO and Joint Director of Secondary Education.

The second appeal petition dated 11-3-2014 is taken up for hearing ex-parte in the absence of the petitioner.

From perusal of the case records it is seen that the petitioner Sri Gobinda Ch. Kalita filed an RTI petition dated 21-12-2013 before the SPIO of the Directorate of Secondary Education, Assam, seeking 3 (three) informations relating to his transfer. The SPIO and Joint Director of Secondary Education submitted a written statement dated 3-6-2013 stating the actions taken by them to furnish the information with supporting documents. It is seen from the written submission and enclosures that except for point No. 2, information under points 1 & 3 were not furnished to the petitioner on the ground of confidentiality. It is further seen that the Director of Secondary Education as First Appellate Authority passed an order dated 26th February, 2016 directing that copy of sought for Note Sheets by furnished to him. However, the First Appellate Authority's speaking order does not make any mention of the 3rd information i.e., Director, Secondary Education's proposal for transfer of Sri G. C. Kalita.

This Commission observes that all three informations sought for by the petitioner are admissible as there is no provision in the RTI Act which prevents furnishing of these informations.

The SPIO of the Directorate of Secondary Education is , therefore, directed to furnish all the sought for information within 15 days from the date of receipt of this order, including Note Sheets containing order of Hon'ble Minister, Education in File No. DSE/Steno/50/2012 .

This Commission observes that the First Appellate Authority had already recorded in an order dated 26-2-2014 that Hon'ble Chief Minister's order was not required for the transfer. This Commission, therefore, infers that there is no Note Sheet with the approval of Hon'ble Chief Minister on the subject. The SPIO of the Directorate of Secondary Education is directed to verify the office records once again and inform the petitioner about the correct position of the matter.

With the above order the second appeal petition dated 11-3-2014 is disposed of.

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

**Authenticated true copy.
Sd/-
Registrar
Assam Information Commission**

Copy to:

1. Dr. Bhupen Talukdar, AES, SPIO and Joint Director of Secondary Education.
for information & necessary action.
2. Sri Gobinda Ch. Kalita , Chandmari, Milanpur, Near Old Masjid, Nouse No.-37,
Guwahati -21 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

**Registrar
Assam Information Commission**