

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

Case No. : KP(M).229 /2014
Complainant/ Appellant : Shri B. Purkayastha
Respondent : Education (Higher/Secondary/Elementary) Deptt.,
Govt. of Assam
Date of hearing : 20.6.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
20.6.2016

The petitioner Shri B. Purkayastha is absent. However, he has authorized Shri Bitu Zaman to represent him before this Commission today. The Public Authority is represented by (1) Mrs. S.G. Kalita, ACS, SPIO & Deputy Secretary, Education Department, (2) Mr. R. Hazarika, ACS, SPIO & Jt. Secretary, Higher Education Deptt., (3) Smti. Jinti Das, ACS, SPIO & Deputy Secretary, Elementary Education Deptt., (4) Shri Nitul Barman, Sr. Administrative Assistant, Elementary Edn. Department, and (5) Shri K.J. Hilaly. The Second Appeal petition dtd. 20.3.14 is taken up for hearing in presence of both the parties.

From perusal of the case records it is seen that the petitioner filed an RTI petition dtd 2.1.14 before the SPIO of the office of the Addl Chief Secretary to the Govt. of Assam, Education Department seeking information relating to pending court cases, their processing in the Department, procedure followed in dealing with the court cases and other associated matters.

The SPIO and Jt. Secretary of the Higher Education Deptt. has made a written submission dtd 18.6.16, which is entered into the case records.

The Officers present deposed that the information sought for by the petitioner are held in three different departments, viz:- (1) Higher Education & Technical Education Department, (2) Secondary Education Department, and (3) Elementary Education Department. The sought for information, therefore, will have to be furnished by the SPIOs of these three departments.

The petitioner stated that he has meanwhile received the information with regard to item No. 1 of his RTI petition i.e. total number of court cases pending before the Hon'ble Gauhati High court, year-wise with effect from 2000. He submitted that no information has so far been furnished to him in respect of his questions at point Nos. 2 to 8 of his RTI petition.

From perusal of the RTI petition, this Commission observes that the petitioner wanted reply to certain questions like "if not, explain", "why" and "if not, why", etc. It is also observed that some of the information sought for by him are not in conformity with

the definition of information u/s 2(f) of the RTI Act, 2005, although they have relevance to public interest.

This Commission, therefore, directs the petitioner to specify the information required by him in conformity with section 2(f) of the RTI Act and intimate the same to the SPIOs of :- (a) Higher & Technical Education Department, (b) Secondary Education Department and (c) Elementary Education Department within 15 days from the date of receipt of this order and the concerned SPIOs of the above three Education Departments shall furnish the information to the petitioner free of cost within another 15 days thereafter.

With the above order, the Second Appeal petition 20.3.14 is disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ KP(M).229/2014/25-A

Dtd. 20.6.2016

Copy to:

1. The SPIO & Joint Secretary, Higher & Technical Education Deptt., Govt. of Assam, Dispur, Guwahati -6 for information and necessary action.
2. the SPIO & Deputy Secretary, Secondary Education Deptt., Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
3. The SPIO & Deputy Secretary, Elementary Education Deptt., Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
4. Shri B. Purkayastha, Advocate, 6- B.N. Das Lane, Iamb Road, Ambari, Guwahati-1 for information
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Registrar
Assam Information Commission