

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

Case No. : SIC/DHR.10/2015  
Appellant : Md. Azom Ali.  
Respondent : The SPIO, O/o the Block Elementary Education Officer,  
Bilasipara, Dhubri  
Date of hearing : 13.07.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
13.07.2016

The SPIO is absent but has sent a Written Statement dated 12.07.2016

The Appellant present.

Heard the Appellant. He submitted that he has not received the information he had sought for through his RTI Application dated 30.06.2014. He also submitted that he has not received any order from the First Appellate Authority on his First Appeal dated 25.11.2014.

Perused the W/S. It has been submitted that the DEEO, Dhubri to whom the RTI Application had originally been submitted had transferred it to the BEEO, Bilasipara through a letter dated 18.09.2014. The BEEO in turn directed the Member Secretary/Head Teacher of the concerned school, namely Golakatar Char L.P. School on 22.09.2014 to provide the information. Thereafter, the Head Teacher informed the BEEO through her letter dated 10.11.2014 that she had lost all the documents related to the RTI Application on her way to BEEO's office, and that she had filed an FIR with the Police in this regard. The Appellant had been requested to collect this information from the Head Teacher to which he has not responded.

From the above, it is seen that the SPIO, office of the DEEO, Dhubri had taken nearly 3 months to forward the RTI Application to the BEEO whereas the stipulated time for providing information under the RTI Act, 2005 is 30 days. Further, it is not understood as to why the original records relevant to the information sought for would not be available in the school merely on account of the loss of 'record' on the way to the BEEO's office. Therefore, the plea of the Head Teacher that she had lost all the relevant document is not acceptable.

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

1. The SPIO, office of the Block Elementary Education Officer, Bilasipara shall procure the relevant information from the concerned school based on the original records maintained by the institution and provide the same, free of cost, within 15 days of receipt of this order; and
2. Should the Head Teacher reiterate that she had lost all the documents relating to the RTI Application on her way to the BEEO's office and that more copies thereof could not be made to provide the same to the Appellant, BEEO, Bilasipara shall cause an enquiry to determine the facts of the case, take necessary measures thereon, and convey to the Appellant the action taken to respond to his RTI Application.

With this, the Second Appeal Petition is disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar  
Assam Information Commission

Memo No. SIC/DHR.10/2015/ -A

Dtd. 13.07.2016

Copy to:

1. The SPIO, office of Block Elementary Education Officer, Bilasipara, Dist- Dhubri, Assam for information and necessary action.
2. The First Appellate Authority/Block Elementary Education Officer, Bilasipara, Dist- Dhubri, Assam for information and necessary action.
3. Md. Azom Ali, S/o- Lt. Mamud Ali, Vill- Boyzeralga Pt.-VIII, P.O.- Bondihana, Dist- Dhubri, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar  
Assam Information Commission