

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

Case No. : KP(M).254/2014
Complainant/ Appellant : Shri Prafulla Patwary
Respondent : Deputy Inspector of Schools, Guwahati
Date of hearing : 17.8.2016
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

17.8.2016

The petitioner/appellant Shri Prafulla Patwary is present. The public authority is represented by : (1) Shri Loknath Deka, Inspector of Police, O/C, Fatasil Ambari, Police Station (2) Smti. Debabala Phukan Chutia, Statistical Asstt of the office of the D.I. of Schools, Guwahati, and (3) Smti. Anita Changkakati, Head Mistress, Lutuma L.P. School. The D.I. of Schools, Guwahati is absent without any information although this Commission directed in its order dtd 11.7.16 for his personal appearance or through his SPIO in today's hearing.

Issue notice directing the D.I. of Schools, Guwahati to show cause within 15 days from the date of receipt of this order as to why appropriate penal action shall not be taken against him u/s 20 of the RTI Act for his repeated failure to appear before this Commission as well as for his failure to furnish the sought for information to the petitioner.

The O/C, Fatasil Ambari Police station submitted that an FIR was received from the Head Teacher of Lutuma L.P. School on 30.6.16. Case No. 315 u/ss 427 and 380 IPC has been registered and the case is under investigation. He submitted that no recovery of the stolen documents have been made, nor has any arrest been made so far. The Head Teacher of Lutuma LP School, Smti. Anita Changkakati submitted that similar thefts took place in the same school on two earlier occasions also in 2014 and 2015. This Commission directs the OC, Fatasil Ambari Police Station u/s 19 (8) (a) of the RTI Act, 2005 to expedite the investigation and complete it within a reasonable period of time, preferably in two months from today, and inform this Commission.

The Head Teacher of the Lutuma LP School produced before this Commission two banks' pass books:- (a) saving bank's account no. 3072675264 of Central Bank of India, Lalganesh Branch for the period 31.5.13 up-to-date and (b) pass book against account no. 7288010004665 with Lalganesh Branch of Assam Gramin Vikash Bank for the period from 30.1.13 up-to-date. For the period prior to 30.1.13, the Head Mistress produced bank's statements from 5.2.2011. This Commission directs her to furnish the copy of the pass books and bank's statements available with her to the petitioner within 15 days from the date of receipt of this order. She is also directed to obtain bank's statements from the concerned banks for the missing period i.e. from 1.1.2009 and furnish them to the petitioner within 30 days from the date of receipt of this order.

The Head Mistress also produced before this Commission a statement of year-wise enrollment position of students for the period from 2009 to 2013. This Commission directs the Head Mistress to furnish a copy of the statement to the petitioner within 15 days from the date of receipt of this order. The Head Mistress is further directed to furnish any other available information to the petitioner as sought for by him within 15 days from the date of receipt of this order and also inform him about the information which are not available because of the theft, which is now under police investigation.

Fix a date after 30.10.2016 to review the position and also inform the O/C, Fatasil Ambari Police Station for appearance.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).254 /2014/24-A

Dtd. 17.8.2016

Copy to:

1. The Deputy Inspector of Schools, Guwahati, Chatribari, Guwahati-781 008 for information and necessary action.
2. The Head Mistress, Lutuma L.P. School, 4th Battalion Gate, Kalapahar, Guwahati-18 for information and necessary action.
3. the O/C, Fatasil Ambari Police Station, Guwahati for information and necessary action.
4. Shri Prafulla Patwary, 4th Battalion Gate, Lutuma, Kahilipara, Guwahati-18 for information.
5. Computer Section for uploading in the Website.
6. Office File.
5. Order Book.

Registrar
Assam Information Commission