

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

Case No. : KP(M).457 /2016
Complainant/ Appellant : Smti. Zenat Hazarika
Respondent : Director, Elementary Education, Assam
Date of hearing : 16.8.2016
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

16.8.2016

The petitioner smti. Zenat Hazarika is present accompanied by her brother Md. Nadir Hussain Hazarika. The public authority is represented by:- (1) Smti. Rumi Choudhury, Dy. Director of Elementary Education & SPIO of the office of the Directorate of Elementary Education, Assam and (2) Shri Monoranjan Kakati, Dy. DEE, Assam. The second appeal petition dtd 26.10.15 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. 22.7.15 seeking information on:- (a) marks obtained by her, (b) cut off mark to qualify for the interview, and (c) copy of OMR and answer sheet of the petitioner bearing roll no. 16251 in the selection test for the post of Junior Assistant under the district level establishments of the Directorate of Elementary Education, which was held on 28.6.15 and the result of which was declared on 22.7.2015.

It is seen from the case records that the Dy. DEE informed the petitioner vide letter dtd 24.9.15 that the selection process was going on confidentially, which was yet to be published and as such information sought for by her could not be furnished.

The SPIO and Dy. DEE submitted a written statement dtd 11.8.16, which is entered into the case records. The SPIO further deposed that the selection test was conducted by a private agency called M/S Bemam Systems Pvt. Ltd., Panbazar, Guwahati. Since the details were not received from the private agency by the Directorate at the time of writing the letter dtd 24.9.15 as mentioned above, the sought for information could not be furnished to the candidate.

The petitioner raised a question that, if the details were not received till 24.9.15, how could the department announce the results on 22.7.15. For the sake of transparency and accountability, this Commission, directs the SPIO of the Directorate of Elementary Education, Assam and the concerned officer of the SIU(B) Branch of the Directorate of Elementary Education, who is deemed as PIO u/s 5(4) and 5(5) of the RTI Act, 2005, to allow the petitioner on any working day during office hours to inspect all relevant records including the file notings and recorded decisions relating to selection of the candidates and declaration of results and also allow her to take notes and photocopies of relevant documents free of cost up to 25 copies and thereafter

against payment of Rs. 2.00 for every additional page of photocopy within 15 days from the date of receipt of this order

As regards the original information sought for by the petitioner vide her RTI petition dtd 22.7.15, the SPIO as well as the petitioner have also acknowledged that the same has been furnished and received, although the petitioner mentioned that she has detected some discrepancies in marks awarded to her. This Commission observes that the petitioner may seek redressal of her grievance in this regard before the competent authority.

With the above order and observation, the second appeal petition dtd 26.10.15 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) 457/2016/52-A

Dtd. 16.8.2016

Copy to:

1. The Deputy Director & SPIO in the office of the Director of Elementary Education, Assam, Kahilipara, Guwhati-19 for information and necessary action.
2. The Branch Officer, SIU (B) Branch in the office of the Director of Elementary Education, Assam, Kahilipara, Guwhati-19 for information and necessary action.
3. Smti Zenat Hazarika, C/- S.M. Haque, House No. 9, 2nd Floor, Debbaru path, Behind MLA Hostel, Near Rajdhani Masjid, Dispur, Guwahati-6 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission