

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

Case No. : SIC/DHR.34/2014
Appellant : Md. Abbas Ali
Respondent : The SPIO, O/o the Block Elementary Education Officer,
Mankachar, Dhubri
Date of hearing : 08.09.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
08.09.2016

The Appellant present along with two persons to assist him.

The SPIO absent. However, a Written Statement dated 07.09.2016 has been received from the First Appellate Authority/BEEO, Mankachar. A Written Statement dated 07.09.2016 has also been received from the concerned school, namely, No. 1189 Bamunpara J.B. School.

Heard the Appellant. He submitted that he has not received the information he had sought for.

Perused the Written Statement from the BEEO. It has been submitted that on receipt of the RTI Application he had transferred it to the Head Teacher of the aforementioned school, and on receipt of the First Appeal the Head Teacher was directed through a letter dated 03.02.2014 to provide the information to the Applicant.

Perused the W/S from the Head Teacher. The Head Teacher has conveyed his apology for his absence in today's hearing on the ground of illness and has submitted that as an active member of the School Management Committee, the Appellant was present in a meeting of the SMC on 11.04.2016 wherein the relevant records relating to the information sought for by him were shown and explained to him. Copy of the minute of the said SMC meeting has been enclosed with the W/S. The minute of the said meeting show the Appellant as a signatory. It has been added that the action so taken to provide the information has been communicated to the BEEO.

The Appellant admitted that he was apprised of the information he had sought for in the said meeting.

The Commission however observes that the BEEO, Mankachar ought to have obtained the information from the school which is under his jurisdiction and provided it to the Appellant within the time specified by the RTI Act, 2005 instead of transferring the RTI Application. The attention of the BEEO, Mankachar is drawn to the fact that he had not disposed of the First Appeal of the Appellant as the FAA by taking a hearing and issuing a speaking order but simply issued a letter directing the Head Teacher to provide the information directly to the Appellant.

In view of the above, the Second Appeal Petition is hereby disposed of.

Sd/-

Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar

Assam State Information Commission

Copy to:

1. The SPIO, Office of the Block Elementary Education Officer, Mankachar Educational Block, , Mankachar, Dist- Dhubri for information.
2. The Head Teacher, No. 1189 Bamunpara J.B. School, Bamunpara, Mankachar, Dist- Dhubri, Assam for information.
3. The First Appellate Authority/Block Elementary Education Officer, Mankachar Educational Block, , Mankachar, Dist- Dhubri for information.
4. Md. Abbas Ali., S/o- Bilat Ali, Vill- Bamunpara, P.O.- Manullapara, Mankachar, Dist- Dhubri, Assam, Pin- 783135 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Registrar
Assam State Information Commission