



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

Case No. : SIC/DHR.9/2016  
Appellant : Md. Saman Ali Sk.  
Respondent : The SPIO, O/o the Block Elementary Education Officer,  
Bilasipara Educational Block, Dhubri  
Date of hearing : 05.09.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
05.09.2016

The Appellant present.

The SPIO absent. However, Written Statements dated 02.09.2016 and 24.08.2016 received from the SPIO/Dy. Director, Elementary Education, Assam and BEEO, Bilasipara respectively. A letter dated 01.09.2016 written by the SPIO/Dy. Director, Elementary Education, Assam to the DEEO, Dhubri has been received.

Heard the Appellant. He submitted that he was yet to receive the information he had sought for.

Perused the Written Statement from the SPIO/Dy. Director, Elementary Education, Assam. It has been submitted that the RTI Application dated 04.07.2015 had been forwarded through a letter dated 21.08.2015 to the DEEO, Dhubri for furnishing the required information directly to the Appellant. Further, the DEEO has been informed of today's hearing in the Commission on receipt of the hearing notice.

Perused the W/S from the BEEO, Bilasipara. It has been submitted that the RTI Application had been forwarded to the Head Teacher of the concerned school, namely, Kaizerchar L.P. School. It has also been submitted that the Head Teacher has supplied the available information to the Appellant directly by post on 21.12.2015, and informed that the remaining information had been lost in a fire in the school which was reported to the Police. A photocopy of the postal receipt has been attached as evidence. A copy of the report to the Police has also been enclosed.

However, it is seen that there is no copy of any letter written to the Appellant enclosed with the W/S. A copy of a letter written in Assamese by the Head Teacher of the concerned school stating that information sought for was not possible to be provided on account of the damage caused to the official records by fire on 28.01.2015 is enclosed with the W/S. However, the letter has no addressee excepting endorsement of copies to (i) S.D.O. (Civil), Bilasipara, and (ii) BEEO, Bilasipara.

The Appellant has submitted that he had not received the said letter from the Head Teacher of the school.

Perused the copy of the letter from the SPIO/Dy. Director, Elementary Education, Assam. Through this letter, the DEEO, Dhubri has been directed to instruct BEEO, Bilasipara to furnish the information sought for by the Appellant and to attend today's hearing.

From the above, it is seen that the BEEO, Bilasipara has not made a proper written submission before the Commission and there is no clear evidence of the information having been furnished to the Appellant.

In view of the facts brought out above, the Commission hereby orders that the SPIO, office of the BEEO, Bilasipara, Dhubri shall ensure that complete information is obtained and furnished to the Appellant, free of cost, within 10 days of receipt of this order. As regards the information which may have been damaged in the reported fire, the information may be available in the offices of the BEEO, Bilasipara or the DEEO, Dhubri. This information should be provided to the Appellant in the like manner. Should any part of the information not be available with any authorities, the factual position should be explained to the Appellant in writing along with the information to be provided in terms of this order. Considering the seriousness of the matter of the reported damage to the official records of the school owing to fire, it would be incumbent on the BEEO, Bilasipara to have the matter investigated to determine the facts and appropriate action taken to fix responsibility in case of negligence and to take corrective measures to avoid such incidents in the future.

With this, the Second Appeal Petition is disposed of.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Secretary  
Assam State Information Commission

Memo No. SIC/DHR.9/2016/ -A

Dtd. 05.09.2016

Copy to:

1. The SPIO, Office of the Block Elementary Education Officer, Bilasipara Educational Block, Bilasipara, P.O.- Bilasipara, Dist- Dhubri, Assam for information and necessary action.
2. The SPIO/Head Teacher, Kaizerchar L.P. School, Bilasipara, Dist- Dhubri, Assam for information.
3. The First Appellate Authority/Director, Elementary Education, Assam, Kahilipara, Guwahati- 781019 for information.
4. Md. Saman Ali Sk., S/o- Kachimuddin Sk., Krishnanagar, Bilasipara, W/No.- 14, P.O.- Bilasipara, Dist- Dhubri, Assam, Pin- 783348 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Deputy Secretary  
Assam State Information Commission