



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

Case No. : SIC/LPR.01/2016
Appellant : Shri Prasanna Bharali
Respondent : The SPIO, O/o the Block Elementary Education Officer,
Naobaicha Dev. Block, Dist- Lakhimpur, Pin-787 052

Date of hearing : 21.10.2016
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
21.10.2016

The Appellant Shri Prasanna Bharali is present. He has submitted a Written Statement dated 18.10.2016.

The SPIO is absent. He has submitted a Written Statement dated 19.10.2016.

A Written Statement dated 27.09.2016 has also been received from the SPIO of the O/o the Deputy Commissioner, Lakhimpur to whom the Appellant had submitted the First Appeal dated 15.11.2014.

Perused the Written Statement of the Appellant. Detailing sequence of events in connection with his RTI Application dated 25.08.2014, it has been submitted that there is much discrepancy in the information furnished to him. The Appellant has requested to facilitate availability of the information sought for by him.

Perused the Written Statement of the Block Elementary Education Officer. The BEEO has not submitted the essential information regarding the receipt of the RTI Application and action taken to provide information which was sought for through the Commission's hearing notice dated 16.09.2016. In a summary manner, the BEEO has merely mentioned that the Appellant and the Headmaster of the concerned school were called to his office on 04.10.2016 and the information sought for handed over. The BEEO received a communication from the Appellant that he was not satisfied with the information furnished to him. However, he has not mentioned what action he has taken to respond to the Appellant.

The Written Statement of the BEEO indicates that the SPIO in his office has failed to deal with the RTI Application and the notice of the Commission for today's hearing in a proper manner. Firstly, the Second Appeal case has been cited wrongly as 18, thereby creating avoidable confusion and waste of time. Secondly, the information sought for by the Commission through its hearing notice has not been provided in the Written Statement. The BEEO ought to have attended to the allegation of the Appellant regarding discrepancy in the information provided to him. The recording on the enclosure indicates that instead of taking necessary action, the BEEO merely noted that thereon the word is 'seen' with his signature dated 18.10.2016. Further, as the SPIO/ BEEO is absent in today's hearing it was not possible to elicit further relevant information on the matter from him.

It appears that the BEEO issued an order to the Headmaster of the said school to be present in today's hearing. The Headmaster is however, absent.

Perused the Written Statement dated 27.09.2016 sent by the SPIO O/o the DC, Lakhimpur. The action taken to transfer the First Appeal to District Elementary Education Officer, Lakhimpur has been mentioned. This Written Statement has also quoted a wrong number for this Second Appeal.

In view of the facts brought out above, the Commission hereby orders that the SPIO O/o the BEEO, Naobaicha Elementary Education Block, shall address the issue of discrepancy in the information already furnished to the Appellant and arrange to give a written response to the communication of the Appellant by providing additional information if appropriate within 15 days of receipt of this order.

Send to the SPIO a copy of the written Statement dated 18.10.2016 submitted by the Appellant to the Commission today.

The Second Appeal case is hereby disposed of.

Sd/-
Pinuel Basumatary
State Information Commissioner, Assam
Panjabari, Guwahati

Sd/-
Dy. Registrar
Assam State Information Commission

Memo No. SIC/LPR.01/2016/52-A

Dtd. 21.10.2016

Copy to:

1. The SPIO, O/o the Block Elementary Education Officer, Naobaicha Dev. Block, Dist- Lakhimpur, Pin-787 052, Assam for information and necessary action.
2. The First Appellate Authority/ DC, Lakhimpur for information.
3. The Appellant, Shri Prasanna Bharali, S/o Shri Buddheswar Bharali, Vill- Dhenudharia, PO- Ponigaon, Lakhimpur, Pin- 787 052, Assam, for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Registrar
Assam State Information Commission