

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

Case No. : SIC/DHR.96/2016
Appellant : Md. Sajahan Ali
Respondent : The SPIO, O/o the Block Elementary Education Officer,
Golakganj Dev. Block, Dhubri
Date of hearing : 17.01.2017
Second Appeal Heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
17.01.2017

The SPIO absent but has submitted a Written Statement dated 07.01.2017 signed by the Block Elementary Education Officer, Golakganj Dev. Block, Dhubri. A Written Statement dated 13.01.2017 has also been received from the First Appellate Authority/District Elementary Education Officer, Dhubri.

The Appellant, Md. Sajahan Ali is present.

Heard the Appellant. He submitted that he has not received the information he had sought for through his RTI Application dated 13.10.2014 relating to Berbhengi Pt. I, Simanta LP School.

Perused the Written Statements. It has been submitted that the RTI Application was transferred to the Head Teacher of the school through letter dated 17.10.2014. It has been added that in connection with the First Appeal by the Appellant it was informed by the said Head Teacher, that the information had been furnished through letter dated 09.05.2015 sent by Post Office owing to refusal of the Appellant to accept the information by hand. In response to further Appeals by the Appellant submitted to the District Elementary Education Officer, Dhubri, the Head Teacher had reiterated that he had sent the required information once again through Post Office.

The Appellant submitted that he did receive a letter delivered by Post Office. However, he had not accepted the same from the Post Office for want of confidence in the Head Teacher, and that he wanted the information by the BEEO to whom he had applied.

From the deposition by the Appellant, the Written Statement and the case record, it appears that the concerned school has been illegally built on the Appellant's private land and therefore there was no mutual trust between the Appellant and the Head Teacher.

In view of the facts brought out above, the Commission hereby orders that the SPIO, O/o the Golakganj Dev. Block, Dhubri to whom the RTI Application dated 13.10.2014 had been submitted shall obtain from the said Head Teacher the information sought for by the Appellant and furnish the same to him, free of cost, within a period of 15 days of receipt of this order. The Commission further orders that the Head Teacher, Berbhengi Pt. I, Simanta LP School shall provide full and factual information as sought for by the Appellant to the said SPIO immediately to enable him (the SPIO) to furnish the information in compliance with this order.

The Second Appeal is hereby disposed of.

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

Sd/-
Dy. Registrar
Assam State Information Commission

Copy to:

1. The SPIO, O/o the Block Elementary Education Officer, Golakganj Dev. Block, Dhubri for information and necessary action.
2. The SPIO, O/o the Head Teacher, Berbhangi Pt. I, Simanta LP School, Dhubri for information and necessary action.
3. The First Appellate Authority/ District Elementary Education Officer, Dhubri for information and necessary action.
4. The Appellant, Md. Sajahan Ali, S/o- Lt. Banu Sk, Vill- Berbhangi Pt. I, PO- Dimakuri, PS- Golakganj, Dhubri, Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.

Dy. Registrar
Assam State Information Commission