

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

Case No. : SIC/DRN.47/2016
Appellant : Shri Mati Ram Nath
Respondent : The SPIO, O/o the Head Teacher cum Member Secretary,
Dhansiri Kash Pub Chuba Middle L.P. School, Dist- Darrang,
Assam
Date of hearing : 02.02.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R

02.02.2017

Shri Siteswar Nath, Block Elementary Education Officer, Dalgaon Sialmari Block, Shri Utpal Goswami, Junior Assistant, Dalgaon Sialmari Block and Smt. Afruja Begum, SPIO, Dhansiri Kash Pub Chuba L.P. School are present.

The Appellant, Shri Mati Ram Nath is present.

Heard the Appellant. He submitted that he has received information pertaining for the period from 1st June, 2014 to March, 2016 and that he had not received the information for the period from 2008 to May, 2014 which he had sought for.

Heard the BEEO of the Dalgaon Sialmari Block. He submitted that he had transferred the RTI Application to the Head Teacher, Dhansiri Kash Pub Chuba L.P. School through a letter dated 09.05.2016.

Heard the Head Teacher cum Member Secretary of the said school. She submitted that she has been able to furnish the information for the period since her taking over charge and that she further submitted she had not received the detailed handing over note from her predecessors and the records pertaining to the information sought for by the Appellant were not available in the school office.

The Head Teacher was unable to produce any evidence of having reported the matter to her superiors.

The BEEO submitted that he was not aware of any report in this regard from the Head Teacher.

It is seen from the above, that there has been a administrative failure in the matter of proper handing over of official records and accounts by the Head Teacher of the said school to his successors and is stated transfer out of the school and consequently, the current incumbent is unable to provide the information sought for by the Appellant under the RTI Act, 2005.

In view of the facts brought out above, the Commission hereby orders that the BEEO, Dalgaon Sialmari Block as the controlling officer of the Head Teacher of the Dhansiri Kash Pub Chuba L.P. School shall have the matter inquired into to determine the facts of the case and to ensure that the missing official records and accounts of the school are recovered and fix responsibility on the person(s) responsible for the missing records and the failure of the previous Head Teacher, if any, to hand over such records to his successors at the time of leaving the school on transfer. The entire inquiry shall be completed within 45 days of receipt of this order.

Should the said records be recovered, the information sought for by the Appellant pertaining to the period shall be furnished to him, free of cost, within 15 days of such information being available.

The Second Appeal is hereby disposed of.

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

Sd/-
Dy. Registrar
Assam State Information Commission

Memo No. SIC/DRN.47/2016

Dtd. 02.02.2017

Copy to:

1. The SPIO, O/o the Head Teacher cum Member Secretary, Dhansiri Kash Pub Chuba Middle L.P. School, Dist- Darrang, Assam, Pin- 784 145 for information and necessary action.
2. The First Appellate Authority/ Block Elementary Education Officer, Dalgaon, Sialmari Block, Dist- Darrang, Assam, Pin- 784 145 for information and necessary action.
3. The Appellant, Shri Mati Ram Nath, Vill- Ghorowa, Sonapur, PO- Dhekipara, Dist- Darrang, Assam, Pin- 784 145 Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Dy. Registrar
Assam State Information Commission