



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

Case No. : MRN.14/2016
 Complainant/ Appellant : Md. Reajul Karim
 Respondent : Commissioner, North Assam Division, Tezpur
 Date of hearing : 19.04.2017
 Complaint/ Second : Shri H. S. Das, IAS (Rtd)
 Appeal heard by : Chief Information Commissioner, Assam

O R D E R

19.04.17

The petitioner Md. Reajul Karim is absent but he has authorized Md. Foorkan Ali to represent him at the time of today's hearing in this Commission. The public authority is represented by Shri Debeswar Borah, SPIO & Joint Secretary of Elementary Education Department, Govt. of Assam accompanied by Shri Nitul Barman, Sr. Administrative Assistant. The second appeal petition dated 21.12.16 is taken up for further hearing in continuation of this Commission's earlier order dated 25.01.17 and 20.3.17.

The petitioner submitted that they have meanwhile received sought for informations from the SPIO of the office of the Commissioner of NAD in respect of the first 3 points of the RTI petition dated 18.4.16. As regards point No. 4, i.e. field verification report along with data sheet of the illegally and irregularly appointed teachers submitted before the District level Screening Committee at Morigaon Circuit House, Morigaon, the petitioner submitted that he is yet to get the sought for information. Vide its earlier order dated 20.3.17 this Commission directed the SPIO & Joint Secretary, Elementary Education Department, Govt. of Assam to file a written submission within 15 days from the date of receipt of the said order as to why the sought for information should be treated as exempted u/s 8(1)(h) of the RTI Act, 2005. Although the SPIO and Joint Secretary, Elementary Education Department, Govt. of Assam is personally present today, he has not submitted written submission in compliance of order dated 20.3.17. He is given 7 days' time from the date of this order, which was pronounced in his presence, to file a written affidavit stating clearly:-

- (1) Whether the informations sought for by the petitioner in respect of Morigaon District is available in the Elementary Education Department, Govt. of Assam,
- (2) If so, from whom was the information received,
- (3) Whether the verification report of the Screening Committee mentioned at point No. 4 of the RTI petition dated 18.4.16 is District Level Screening Committee or Divisional Level Screening Committee,
- (4) Why the information sought for by the petitioner at point No. 4 of the RTI petition is being treated as exempted u/s 8(1)(h) of the RTI Act, 2005,

and,

(5) The Screening Committee appears to have submitted their report with detailed list of concerned teachers to the Government in the Elementary Education Department in the year 2014. Three years have already lapsed. Meanwhile the concerned teachers are passing through uncertainty about their job security, which involves their personal liberty. It is therefore imperative that the State Govt. in the Education Department takes necessary decision expeditiously within a definite time frame. The SPIO is therefore, directed to mention the present position of action taken on the reports received from the Divisional Commissioner.

The SPIO and Joint Secretary of Elementary Education Department is directed to file written affidavit with the approval of Commissioner & Secretary of Elementary Education Department, Govt. of Assam and this should be mentioned in the affidavit.

Fix at 1.00 PM on 16.5.2017. for review of the position.

Sd/-

(H. S. Das)

Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar

Assam Information Commission

Memo No. SIC/MRN.14/2016/

Dtd. 19.04.2017

Copy to:

1. The SPIO of the office of the Commissioner, North Assam Division, Tezpur for information.
2. The SPIO & Joint Secretary of the Elementary Education Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
3. Md. Reajul Karim, PO & Vill- Moirabari, District Morigaon, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar

Assam Information Commission