

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

Case No. : SIC/DRN.33/2017
Appellant : Shri Mati Ram Nath
Respondent : The SPIO, O/o the Block Elementary Education Officer,
Dalgaon Sialmari Block, Darrang
Date of hearing : 27.06.2017
Second Appeal heard by : Shri Pinuel Basumatary,
State Information Commissioner, Assam

O R D E R
27.06.2017

The First Appellate Authority/District Elementary Education Officer, Darrang, Mangaldai and Block Elementary Education Officer, Dalgaon Sialmari Block are absent but have submitted Written Statements dated 23.06.2017 and 27.06.2017 respectively.

The Appellant, Shri Mati Ram Nath is present.

Heard the Appellant. He submitted that he had not received the information he had sought for through his RTI Application dated 27.10.2016.

Perused the Written Statement of the FAA. The FAA has submitted that the First Appeal dated 25.01.2017 had been disposed of on 03.03.2017 with the order to the BEEO, Dalgaon Sialmari Block to transfer the RTI Application dated 27.10.2016 to the Head Teacher of the concerned School, namely, No. 1 Magurmari L.P. School and the said Head Teacher to furnish the information to the Appellant within 15 days.

Perused the Written Statement of the BEEO. It has been submitted that although the RTI Application was transferred on 01.11.2016 to the said School, the latter did not receive it and therefore a copy was sent again and said Head Teacher furnished the information by Post on 23.06.2017. A copy of the said letter by which information was furnished has been enclosed with the Written Statement for evidence.

A copy of the said letter dated 23.06.2017 was shown to the Appellant. After having gone through the said letter, he submitted that the information in the form of certified copies of documents have not been furnished in respect of point numbers 2 and 3 of his five-point RTI Application and it is the responsibility of the Public Authority to furnish copies of the attendance register he has sought for at point number 5 instead of asking him to inspect the same.

After perusing the said letter dated 23.06.2017, the Commission concludes that the Appellant's contention is based on facts. Whereas the Appellant sought copies of the admission register pertaining to children of S.M.C. over the period from 2010-2016, the information provided has limited it to the information provided at point number 1. As regards, point number 3, the Head Teacher ought to provide the Minutes/Proceedings of the meeting in which S.M.C. was constituted. The information sought for at point number 4 does not qualify as the information as defined by the said Act and that the Appellant offered to drop the point. At point number 5, the Appellant had sought photocopies of the students attendance register for the said period. The Head Teacher has requested the Appellant to inspect the same in the School. The Commission is of the view that since the Public Authority did not respond to the RTI Application within the stipulated 30 days' and the photocopies of records were not provided to the Appellant, the photocopies thereof should be furnished instead of asking the Appellant to inspect the records.

In view of the facts brought out above, the Commission hereby orders that the Head Teacher, Magurmari L.P. School shall furnish the certified photocopies of relevant documents in respect of point numbers 2, 3 and 5, free of cost, within 10 days of receipt of this order. Further, as the Appellant has not received the said letter dated 23.06.2017, response to be given now may cover all the points in the RTI Application excepting point number 4.

The Second Appeal is hereby disposed of.

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

Authenticated true copy

Sd/-
Joint Registrar
Assam State Information Commission

Memo No. SIC/DRN.33/2017/17-A

Dtd.27.06.2017

Copy to:

1. The SPIO, O/o the Block Elementary Education Officer, Dalgaon Sialmari Block, Darrang, Dist- Darrang, Assam, Pin- 784 125 for information and necessary action.
2. The First Appellate Authority/District Elementary Education Officer, Darrang, Mangaldai, Dist- Darrang, Assam, Pin- 784 125 for information and necessary action.
3. The Appellant, Shri Mati Ram Nath, S/o- Lt. Dusta Ram Nath, Vill- Gharowa Sonapur, PO- Dhekipar, Dist- Darrang, Assam, Pin- 784 145 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam State Information Commission