

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : **KP(M).91/2016**
Complainant/ Appellant : **Sri Mridul Saikia**
Respondent : **Secondary Education Department, GoA**
Date of Hearing : **09 -8-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R
9-8-2017

1. The appellant/ petitioner Sri Mridul Saikia is present. The public authority is represented by :- Smti S.G.Kalita, Joint Secretary and SPIO of Secondary Education Department accompanied by Sri B. C. Das, Sr. Administrative Assistant of the same office.
2. The petition dated 3-5-2017 submitted by the petitioner Sri Mridul Saikia complaining non-compliance of this Commission's order dated 7-3-2017 by the Secondary Education Department, Govt. of Assam is taken up for consideration in presence of both the parties.
3. Vide this Commission's order dated 7-3-2017 the SPIO of Secondary Education Department was directed to furnish the required information to the petitioner in respect of point No.-4 and 5 of his RTI petition dated 7-6-2014. The SPIO and Joint Secretary of Secondary Education Department has submitted a written statement dated 7th August, 2017 . In her written statement she has stated that in reply to point No-4 of the RTI petition which sought information on specific action taken by the Department on Hon'ble Gauhati High Court's order dated 11-4-2014 in WP(C) No. 1807/2014, necessary information has since been furnished to the petitioner. The Department has furnished on 27-3-2017 a copy of a speaking order passed by the Secretary, Secondary Education Department , Govt. of Assam on 17-6-2014. The SPIO has enclosed a copy of the said order dated 17-6-2017 with her written statement. From perusal of the Hon'ble Gauhati High Court's order dated 11-4-2014 and the order passed by Secretary, Secondary Education Department on 17-6-2014 it is seen that the speaking order has been passed in pursuance of the order of Hon'ble High Court and therefore furnishing of copy of this order to the petitioner meets the requirements of point No.4 of his RTI petition now under consideration. The petitioner said that he is not satisfied with the speaking order. This Commission is of the view that if he is not satisfied with the decision of the Secretary- Secondary Education Department contained in the speaking order, he may then approach the appropriate authority or appropriate Court for redressal of his grievance. This Commission is not a grievance redressal forum.
4. Coming to point No. 5 of his RTI petition, this Commission, after hearing both the parties came to the conclusion that the petitioner created a confusion by wrongly putting the date 29-4-2014. He admitted that by a forwarding letter dated 23rd

April, 2014 addressed to the Commissioner & Secretary of Secondary Education Department he furnished a copy of the Hon'ble High Court's order dated 11-4-2014 in WP(C) 1807/2014 and this letter was received in the Secondary Education Department on 23-4-2014 and not on 29-4-2014. Anyway, this Commission is of the view that as mentioned in the second paragraph of her W/S dated 7th August, 2017, the Department did not receive any letter dated 29-4-2014 and hence point No. 5 could not be responded to.

5. Now that the confusion has been cleared, this Commission directs the **SPIO of Secondary Education Department to furnish copies of relevant note sheets beginning with putting up of copy of Hon'ble Gauhati High Court's order dated 11-4-2014 and culminating with the speaking order dated 17-6-2014 within 15 days from the date of the order, which was pronounced in presence of both the parties.**

6. With the above order the non-compliance complaint petition dated 3-5-2017 is disposed of and the matter is closed.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M).91/2016/

-A

Dated 09-8-2017

Copy to:-

- 1) Smti S.G.Kalita, Joint Secretary and SPIO of Secondary Education Department , Dispur, Guwahati-6 for information and necessary action, as ordered above.
- 2) Sri Mridul Saikia, House No. 5, Sewali Path, Hengrabari Road, Ganeshguri, Guwahati-781 006 for information.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

Registrar

Assam Information Commission.