



OFFICE OF THE

**ASSAM INFORMATION COMMISSION**

**JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/CCR.85/2017  
Appellant : Smt. Noorjahan Begom Mazumder  
Respondent : The SPIO, Office of the Block Elementary Education Officer,  
Lakhipur, Cachar.  
Date of hearing : 16-3-2018  
Second Appeal heard by : Nilufer Alam Hazarika, IAS(Retd.)  
State Information Commissioner, Assam

**O R D E R**  
**16-3-2018**

The Petitioner is represented by Sri Abdul Kalam Mazumdar. The Public Authority is absent without any intimation. The Commission vide order dt. 1-2-2018 had observed that the Director of Elementary Education is the competent authority to furnish the information sought for by the Petitioner and was considered as deemed PIO and was directed to furnish the information to the DEEO, Cachar within 21 days from the date of receipt of the order, who in turn will furnish the required information to the Petitioner within 7 days thereafter.

The representative of the Petitioner verbally stated that the Block Elementary Education Officer, Lakhipur vide letter dt. 14-2-2018 requested the Petitioner to provide some documents for release of retirement benefit of Late Abdul Mannan Mazumdar and had furnished a copy of the same. The Petitioner vide letter dt. 14-3-2018 furnished a copy of the re-instatement order dt. 28<sup>th</sup> November, 1977 and IPS copies for the year 1981 to 1989 as was available with her. As regards rest of the documents she stated that her late husband was not the custodian of record and the same may be collected from the concerned authority. He also stated that he had not received any information on his RTI petition from any quarter till date.

The Director of Elementary Education has neither appeared nor any response been received. In view of absence of the SPIO/Director, Elementary Education in the hearing today, it could not be ascertained whether any step was taken to comply with the order dt. 1-2-2018. Therefore the position as of today is that :-

- (1) The SPIO/Director of Elementary Education has failed to furnish the required information to the Petitioner,
- (2) He has failed to comply with the order of this Commission dt. 1-2-2018.

This Commission therefore directs the SPIO, office of the Director of Elementary Education to show cause on or before 15<sup>th</sup> April, 2018 as to why penal action U/S. 20(1) of the RTI Act, 2005 shall not be imposed on him for his failure to perform the responsibilities under the Act. His written submission should reach the Commission within 15 days from the date of receipt of this order.

**Fix 2-5-2018 at 1.00 P.M.** Issue notice to the BEEO, Lakhipur, Cachar, DEEO, Cachar and SPIO, DEE, Assam for the personal appearance on the next date of hearing.

Sd/-

(Nilufer Alam Hazarika, IAS (Retd.))

State Information Commissioner, Assam

Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar

Assam State Information Commission

**Memo No. SIC/CCR.85/2017/32-A**

**Dtd. 16-3-2018**

Copy to:

1. The SPIO, Office of the Block Elementary Education Officer, Lakhipur, Cachar, P.O. Pailapool, Pin – 788023, Assam for information and necessary action.
2. The First Appellate Authority/ District Elementary Education Officer, Cachar, Assam for information.
3. Smt. Noorjahan Begom Mazumder, W/o Late Abdul Mannan Mazumder, Vill. Algapur Part – II, P.O. East Algapur, Dist. Cachar, Pin - 788101, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar

Assam State Information Commission