

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

Case No. : SIC/DHR.10/2015
Complainant : Md. Azom Ali
Respondent : The SPIO, O/o the Block Elementary Education Officer,
Bilasipara, Dhubri
Date of hearing : 09.04.2018
Complaint heard by : Shri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
09.04.2018

The Appellant/Complainant, Md. Azom Ali is present.

The SPIO absent without information.

Perused the case record. It is seen that the Second Appeal dated 03.02.2015 has been heard in the Commission three times, on 13.07.2016, 12.09.2017 and on 27.02.2018 and passed orders. The Respondent Public Authority has not complied with any of the orders. The SPIO was absent on the first two hearings but had submitted Written Statements. However, on 27.02.2018 he was absent without information. The Commission had observed that the Block Elementary Education Officer, Bilasipara and his SPIO had neglected to take action to provide information to the information seeker in accordance with the RTI Act, 2005 and the aforementioned orders of the Commission. Considering that the BEEO and his SPIO had neither attended the hearing nor had submitted any Written Statement or apology for the absence, the Commission decided after the hearing on 27.02.2018 to invoke the provisions of the said Act U/S 18 (3) regarding the powers of the Civil Court while trying a suit under the Code of Civil Procedure, 1908 to summon and enforce the attendance of the respondents and compel them to give oral or written evidence on oath and to produce documents. It was decided to hear the case today in which Shri Manuj Kr. Phukan, i/c, BEEO, Bilasipara and his SPIO along with the Head Teacher, Golakata Char L.P. School were directed to be present to make detailed statements in person. Accordingly, a summon no. SIC/DHR.10/2015 dated 03.03.2018 was issued through the Superintendent of Police, Dhubri to address to the BEEO, Bilasipara and his SPIO to appear in person.

The Commission observes that no confirmation of service of the summon has since been received in the Commission from the SP, Dhubri or any acknowledgement of receipt from the SPIO and BEEO, Bilasipara.

Heard the Appellant/Complainant. He submitted that he has not received any communication from the SPIO or the BEEO in connection with the compliance with the orders of the Commission. He further submitted that his presence in today's hearing after learning about today's date from the Commission's office and that the hearing notice/summon had not been received by him through post.

Considering that the service of the said summon may not have been complete owing to the ongoing reported disruption of postal services, the Commission hereby decides to fix another date for hearing.

The next date of hearing shall be 31.05.2018 at 11:30 AM.

This order shall constitute the notice for hearing to the Respondents and the Appellant/Complainant.

Issue summon to the Respondents through the SP, Dhubri.

Sd/-

Pinuel Basumatary IA & AS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/DHR.10/2015/37-A

Dtd.09.04.2018

Copy to:

1. The Superintendent of Police, Dhubri, Assam for information and necessary action.
2. The SPIO, O/o the Block Elementary Education Officer, Bilasipara, Dhubri, Assam for information and necessary action.
3. The SPIO, O/o the Head Teacher, Golakata Char L.P. School, Bilasipara, Dhubri, Assam for information and necessary action.
4. The First Appellate Authority/District Elementary Education Officer, Dhubri, Assam for information.
5. The Appellant, Md. Azom Ali, S/o- Lt. Mamud Ali, Vill- Boyzeralga Pt.- VIII, PO- Bondihana, Dist- Dhubri, Assam for information.
6. Computer Section for uploading in the Website.
7. Office File.

Joint Registrar
Assam Information Commission

