



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION  
JONAKKEE 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 : 27.02.2018  
Complaint heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
27.02.2018

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

The SPIO absent without information.

Heard the Appellant/Complainant. He submitted that he had not received the information in terms of the Commission's order dated 13.07.2016 and 12.09.2017.

Perused the case record. The Second Appeal dated 03.02.2015 had been heard in the Commission twice on 13.07.2016 and 12.09.2017 and orders passed accordingly. In the order dated 13.07.2016 the SPIO was directed to procure relevant information from the concerned L.P. School and provide the same, free of cost, within 15 days of receipt of the order. Further, the BEEO was asked to cause an inquiry to determine the facts about the loss of certain records reported by the Head Teacher and take necessary measures in this connection and convey to the Appellant the action taken to respond his Application for information. It was seen that this inordinate delay in taking action on Application for information which was dated 30.06.2014 i.e., more than two years old. On receipt of Complaint of Non-Compliance from the Appellant the case was heard again on 12.09.2017. The Commission had reiterated the order of 13.07.2016 for the SPIO and the BEEO to comply. Further, it was ordered that the case would be heard again in six weeks' time in which Shri Manoj Kr. Phukan, i/c BEEO, Bilasipara and his SPIO along with the Head Teacher, Golakata Char L.P. School should be present in the hearing to make detailed submission in person. The subsequent hearing was deferred twice- it was first scheduled for 13.12.2016 and then 22.01.2018, and the SPIO was notified about both the dates. The BEEO and his SPIO did not comply with this order and they are not only not present in today's hearing but have not apprised the Commission if any action had been taken by them to provide the information.

From the above, it is evident that the BEEO and his SPIO have neglected to take action to provide information to the information seeker in accordance with the RTI Act, 2005 and the aforementioned orders of this Commission. Therefore, the Commission determines that it would be in order to hear the case again in the presence of the said Public Authority.

Considering that the BEEO and his SPIO have neither attended today's hearing nor have they submitted any Written Statement or any apology this Commission hereby invokes 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.

The next date of hearing shall be 09.04.2018 at 11:30 AM. Shri Manuj Kr. Phukan, i/c, BEEO, Bilasipara and his SPIO along with the Head Teacher, Golakata Char L.P. School shall be present in the next hearing to make all detailed statement in person.

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

The Appellant/Complainant should also be present in the hearing to assist the Commission to arrive at an appropriate decision.

Serve notice through the Superintendent of Police, Bilasipara, Dhubri, Assam.

Sd/-

Pinuel Basumatary

State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar

Assam Information Commission

Memo No. SIC/DHR.10/2015

Dtd.27.02.2018

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