

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

Case No. : SIC/BPT.29/2017  
Appellant : Smt. Archana Das  
Respondent : The SPIO, O/o the Director of Elementary Education, Assam  
Kahilipara, Guwahati- 19  
Date of hearing : 23.04.2018  
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
23.04.2018

Smt. Rumi Choudhury, Deputy Director/SPIO, Shri Manoranjan Kakati, Deputy Director, Shri Anil Phukan, Superintendent and Shri Simanta Bayan, Junior Assistant are present. A Written Statement dated 20.04.2018 has been submitted by the SPIO.

Shri Dhiraj Deka as deputed by the Appellant is present.

Perused the Written Statement. The action taken on the RTI Application and on the First Appeal had been detailed indicating that the RTI Application had been forwarded to the concerned branch namely, Apptt 'B' (SIU) in the Directorate requesting them to furnish the information directly.

Heard the parties. It was submitted that since the process of finalization of the recruitment process was not complete then he had been informed so through a letter dated 16.03.2018. However, the recruitment process having been completed in the meantime the information has been provided through a letter dated 19.04.2018. As the Appellant had not received the copy of the said letter and the information, a copy thereof was handed over by the Deemed SPIO during the hearing. After going through the information and the enclosed documents, the Appellant's depute submitted that it was not acceptable to him that the information relating to query no. 2 could not be provided on the plea of being at the custody of a third party. He contended that as the information was stated to be in the custody of the Agencies who are entrusted with the task of conducting the examinations for selection of candidates, the same should be obtained by the Public Authority and furnished to him.

On perusal of the relevant documents including the RTI Application, the Commission decided to accept the contention of the Appellant's depute and therefore hereby orders that the Public Authority shall furnish the said information sought through query no. 2 of the RTI Application, free of cost, within 15 days of receiving this order.

The Second Appeal is hereby disposed of.

Sd/-

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

Authenticated true copy

Sd/-  
Joint Registrar  
Assam Information Commission

**Memo No. SIC/BPT.29 /2017/25-A**

**Dtd.23.04.2018**

Copy to:

1. The SPIO, O/o the Director of Elementary Education, Assam, Kahilipara, Guwahati- 19 for information and necessary action.
2. The First Appellate Authority/Director of Elementary Education, Assam, Kahilipara, Guwahati- 19 for information.
3. The Appellant, Smt. Archana Das, D/o- Aswini Das, Near Sankar Dev Than, Vill & PO- Patbausi, Dist- Barpeta, Assam, Pin- 781 314 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission





