



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

Case No. : SIC/BPT.4/2018
Appellant : Shri Dinesh Das
Respondent : The SPIO, O/o the Director of Secondary Education, Assam
Kahilipara, Guwahati- 19
Date of hearing : 21.04.2018
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
21.04.2018

Shri Joy Ram Hazarika, SPIO, Director of Secondary Education, Assam and Shri Sanjib Kr. Phukan, ASPIO are present. A Written Statement dated 20.04.2018 has been submitted by the SPIO.

The Appellant absent without information.

Perused the case record. The Appellant submitted his Second Appeal dated 30.12.2017 stating that he had not received the information sought through his RTI Application dated 07.09.2017. He has prayed for the information and to penalize the SPIO for 'negligence' in providing the information.

Perused the Written Statement of the Joint Secretary to the Government of Assam, Secondary Education Department. It has been submitted that the First Appeal had been forwarded to the Director of Secondary Education, Assam through a letter dated 11.12.2017 requesting the latter to dispose of the First Appeal dated 06.11.2017 being an appropriate Appellate Authority.

Heard the SPIO and perused his Written Statement. It has been submitted that information relating to query no. 1 has been provided and no information could be provided in query nos. 2-7 being outside the purview of the RTI Act, 2005. As regards, delay in furnishing the information he explained that the same happened owing to shifting of the RTI Cell from one room to another and change in incumbency.

Perusal of the RTI Application indicates that query nos. 2-5 are in the nature of question not amounting to seeking any information as defined by the Act U/S 2 (f). However, information sought for in query no. 6 ought to be provided by the Respondents. The SPIO further submitted that although query no. 6 was also described as being outside the purview of the Act the information was infact provided.

Notwithstanding, the submission by the SPIO, the furnishing of the information sought through query no. 6 has not been mentioned in the forwarding letter dated 11.01.2018 written to the Appellant. Further, the SPIO ought to have explained as to why no information could be provided in respect of query nos. 2-5.

In view of the above, the Commission hereby orders that the SPIO shall furnish the information relating to query no. 6 and 7 with a explanatory forwarding letter relating to the other queries which are in question form.

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.4/2018/23-A

Dtd.21.04.2018

Copy to:

1. The SPIO, O/o the Director of Secondary Education, Kahilipara, Guwahati- 19 for information and necessary action.
2. The First Appellate Authority/Commissioner & Secretary to the Government of Assam, Secondary Education Deptt., Dispur, Guwahati- 6 for information.
3. The Appellant, Shri Dinesh Das, Barpeta Road, Ward No. 6, PO- Simuluguri, Dist- Barpeta, Pin- 781 313 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission

