

Case No. : SIC/DRN.31 /2018
Appellant : Md. Mozafor Hussain
Respondent : (i) The SPIO, O/o the Block elementary Education Officer,
Dalgaon Sialmari, Dist.- Darrang, Assam, and
(ii) The Head Teacher, No. 2 Magurmari Uttarpar Pub
L.P. School, Darrang
Date of hearing : 04.09.2018
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

04.09.2018

The Appellant, Md. Mozafor Hussain is present along with an assistant.

The SPIO absent. However, the BEEO i/c, Dalgaon Sialmari has submitted a Written Statement dated 01.09.2018.

Heard the Appellant. He submitted that he had not received the information he had sought for through his RTI application dated 28.11.2017.

Perused the Written Statement. It is seen that the RTI Application was received on 01.12.2017 and transferred on the same day to the Head Teacher of the concerned school, namely, No. 2 Magurmari Uttarpar Pub L.P. School. A copy of the said letter has been enclosed for evidence. The First Appeal dated 10.02.2018 was heard by the DEEO, Darrang on 22.05.2018. The Head Teacher had submitted that he would furnish the information by 30.08.2018. The First Appellate Authority disposed of the First Appeal by accepting the written undertaking given by the Head Teacher. Accordingly, the Head Teacher had furnished the information through a letter dated 28.08.2018. A copy of the said letter has been enclosed with the Written Statement without its enclosures.

From the photocopy of the postal receipt copied on the letter, it appears that the same was sent by Registered Post on 30.08.2018.

The Appellant submitted that he had not received the said letter from the Head Teacher. He submitted that he was not present in the hearing of the First appeal although he has been shown as present.

On the Head Teacher's letter being shown to the Appellant, he submitted that besides the absence of the enclosures, certain information/documents such as a copy of the certificate of completion of the buildings by the concerned Junior Engineer has not been provided.

In view of the facts brought out above, **the Commission hereby orders as follows-**

- (a) **The Head Teacher, No. 2 Magurmari Uttarpar Pub L.P. School shall review the information already dispatched to the Appellant, and furnish the wanting information such as JE's certificate of completion of the buildings, free of cost, within 10 days of receiving this order, and**
- (b) **Should the Appellant be not satisfied with the information to be received by him through the aforementioned letter of the Head Teacher dated 28.08.2018 and in compliance with this order, he shall be at liberty to communicate clearly with the Head Teacher with reference to his RTI Application if any part of the information would remain to be furnished, and the Head Teacher shall respond to the Appellant within 10 days of receiving such communication.**

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/DRN.31 /2018

Dtd.04.09.2018

Copy to:

1. The SPIO, O/o the Block Elementary Education Officer, Dalgaon Sialmari, Dist.- Darrang, Assam for information and necessary action.
2. The Head Teacher, No.2 Magurmari Uttarpar Pub L.P. School, Darrang, Dist.- Darrang, Assam for information and necessary action.
3. The First Appellate Authority/office of the Dist. Elementary Education Officer, Darrang, Dist.- Darrang, Assam, Pin- 784 125 for information.
4. The Appellant, Md. Mozafor Hussain, S/o- Lt. Alep Hussain, Vill- Thekerabari No. 1, PO- Balabari, Dist.- Darrang, Assam, Pin- 784 146 for information.
5. Computer Section for uploading in the Website.
6. Office File.

Joint Registrar
Assam Information Commission