



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

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Case No.	:No.KP(M)963/2017
Complainant/ Appellant	Sri Dulal Bora
Respondent	:Secondary Education Department
Date of Hearing	:30-8-2018
Complaint/ Second appeal heard by	:Shri H. S. Das, IAS (Retd) :State Chief Information Commissioner, Assam

O R D E R
30-8-2018

1. The petitioner Sri Dulal Bora is absent. He has sent a written submission dated 30th August, 2018 praying for re-fixation of the date of hearing due to his pre-occupation with other Court cases.

2. The public authority to be represented by the SPIO of the Secondary Education Department is represented by (i) Sri Padma Kanta Sarma, SPIO of Secondary Education Department, Dispur, Guwahati-6 and (ii) Smti Dipika Choudhury, SPIO and Deputy Director, Secondary Education, Kahilipara, Guwahati-19.

3. The SPIO of Secondary Education Department has submitted a written submission dated 27th August, 2018 enclosing a detailed note on the actions taken on the RTI petition dated 9-8-2016 and the first appeal petition dated 16-5-2017. It has been submitted that the first appellate authority of Secondary Education Department issued notice to the petitioner Sri Dulal Bora and the Principal/ Headmaster of Srimanta Sankar Academy, Dispur, Guwahati to appear for a hearing of the first appeal petition at 11.00 A.M on 21-6-2017. The Principal of the aforesaid school was present at the time of hearing. But the petitioner Sri Dulal Bora was absent. It appears that the First Appellate Authority passed an ex-parte order dated 21-6-2017 wherein it is recorded that: –

Quote “Satisfied with the documents and submission made by the school authority and satisfied with the report submitted by the IO, Dispur Police Station addressed to Sri Dulal Bora. The petition does not require any further consideration and the matter is hereby closed. Informed concerned.” –*Unquote*.

4. From perusal of the second appeal petition dated 24-7-2017 it appears that the petitioner was not in receipt of the order of the First Appellate Authority when he filed the second appeal petition. The SPIO of Secondary Education Department is, therefore, directed to furnish within 15 days from the date of receipt of this order another copy of the First Appellate Authority's order dated 21-6-2017, together with copies of documents

submitted by the Principal of Srimanta Sankar Academy and copy of the report submitted by the Inquiry Officer of Dispur Police Station unless they are exempted under any sub-section of Section-8 of the RTI Act, 2005.

5. In view of the above, no further hearing is considered necessary and hence the second appeal petition dated 24-7-2017 is disposed of. The appellant will, however, be at liberty to revert to this Commission if he has any submission to make with reference to this order.

Sd/-

(H S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Sd/-

Registrar I/c
Assam Information Commission

Memo No. SIC/ KP(M)963/2017/

Dated 13-9-2018

Copy to :-

1. Sri Padma Kanta Sarma, SPIO of Secondary Education Department, Dispur, Guwahati-6 for information and necessary action as ordered above.
2. Sri Dulal Bora, Koinadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office file.
5. Order Book.

Registrar I/c
Assam Information Commission

