



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : SIC/DRN.20 /2018
Appellant : Md. Ali Ahmed
Respondent : The SPIO, O/o the District Elementary Education Officer,
Darrang, Mangaldai, Dist.- Darrang, Assam
Date of hearing : 14.12.2018
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

14.12.2018

The Appellant, Md. Ali Ahmed is present.

The SPIO absent. However, Written Statements dated 12.12.2018 and 07.12.2018 have been received respectively from the Director, Elementary Education, Assam and District Elementary Education Officer, Darrang.

Perused the Written Statements. The Director, Elementary Education, Assam has submitted that he had directed the DEEO, Darrang through a letter dated 01.12.2017 to furnish the information to the Appellant. The DEEO has submitted that the information in respect of the RTI Application dated 04.09.2017 has been furnished through a letter dated 30.12.2017 which was received by the Appellant on 08.01.2018. A copy of the said letter has been enclosed. However, the said letter neither contains the information nor any mention of enclosures of records.

Heard the Appellant. He submitted that he had not received the information inspite of having acknowledged the receipt mentioned by the DEEO. He explained that he had put his signature on the letter on the assurance that the required documents containing the information were being photocopied for him. No documents could be handed over to him that day because of failure of electricity supply. Thereafter, he contacted the office several times. The concerned officials did not furnish the information inspite of instructions from the DEEO to do so.

He informed the Commission that the current DEEO and the SPIO is Smt. Jawahira Tabassum.

Considering the facts brought before the Commission as above, the Commission is inclined to believe that the Appellant is yet to receive the information, and that the current DEEO has made a written submission before the Commission to the effect that the information

has been received by the Petitioner on 08.01.2018 without verifying the facts. It is evident that the concerned officials of the Public Authority had not discharged their responsibility for providing the information and the DEEO, present and the former failed as to SPIO to comply with the provisions of the RTI Act, 2005.

In view of the facts brought out above, **the Commission hereby orders that Smt. Jawahira Tabassum, SPIO/DEEO, Darrang shall take all necessary action to furnish the information to the Appellant, free of cost, within 10 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/DRN.20/2018

Dtd.14.12.2018

Copy to:

1. The SPIO, O/o the District Elementary Education Officer, Darrang, Mangaldai, Dist.- Darrang, Assam, Pin- 784 125 for information and necessary action.
2. The First Appellate Authority/office of the Director of Elementary Education, Assam, Kahilipara, Guwahati- 19 for information.
3. The Appellant, Md. Ali Ahmed, S/o- Lt. Hasen Sheikh, No. 1, PO & PS- Kharupetia, Dist.- Darrang, Assam, Pin- 784 115 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission