



**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/DHR.70 /2018

Appellant : Md. Juran Ali Akand

Respondent : 1. The SPIO, O/o the District Elementary Education Officer,
Dhubri, and

2. The Block Elementary Education Officer, Gauripur, Dhubri

Date of hearing : 19.11.2018

Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

19.11.2018

The Petitioner, Md. Juran Ali Akand is present.

The SPIO absent. However, a Written Statement dated 17.11.2018 from the SPIO, office of the District Elementary Education Officer, Dhubri was received in the Commission after the hearing today. However, the same is taken on record.

Heard the Appellant. He submitted that he has neither received the information nor any response inspite of submitting a First Appeal and several visits to the DEEO's office. He has alleged serious irregularities in the certificates of educational qualification of a particular Teacher.

Perused the Written Statement of the SPIO. It has been submitted that the RTI Application dated 19.02.2018 was transferred to the Block Elementary Education Officer, Gauripur on 26.02.2018 and that the BEEEO in his turn transferred the same to the Headmaster, Moulana Bhasani Memorial ME Madrassa on 06.04.2018. The Headmaster then issued a letter dated 10.05.2018 to the teacher concerned, namely Smt. Saleha Khatun Talukdar, information regarding whom had been sought to provide the information. Enclosing a copy of the letter from the said teacher, the Headmaster stated that "some documents" had been furnished by her to him with a copy to the Petitioner. The SPIO has sent his apology for his absence stating that he was engaged in work relating to Elections.

From the submissions as mentioned above, it is seen that it is the SPIO, office of the BEEEO, Gauripur who ought to have furnished the information without transferring it to the Headmaster and that his action amounted to shirking responsibility. The Headmaster too did not provide the information based on record in his office, and sought the information from the individual concerned. This was not in order as the information should be a matter of record and that the Appellant has alleged irregularity involving the individual. Further, as stated in the Written Statement full information had not been provided.

In view of the facts brought out above, **the Commission hereby orders that the SPIO, office of the BEEO, Gauripur shall furnish complete information as sought for by the Appellant, free of cost, within 10 days of receiving this order.**

Further, the SPIO, office of the BEEO, Gauripur is hereby directed not to transfer RTI Applications in respect of which his office ought to be the holder of the information.

The Second Appeal case is hereby disposed of.

Sd/-

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

Authenticated true copy

Sd/-

Registrar i/c
Assam Information Commission

Memo No. SIC/DHR.70 /2018

Dtd.19.11.2018

Copy to:

1. The SPIO, O/o the District Elementary Education Officer, PO & Dist.- Dhubri, Pin- 783 301, Assam for information and necessary action.
2. The SPIO, O/o the Block Elementary Education Officer, Gauripur, Dhubri for information and necessary action.
3. The First Appellate Authority/District Elementary Education Officer, PO & Dist.- Dhubri, Pin- 783 301, Assam for information.
4. The Appellant, Md. Juran Ali Akand, Vill- Chotobashijani, (Amervita), PO- Sagalchora, PS- Dhubri, Dist.- Dhubri, Pin- 783 324, Assam for information.
5. Computer Section for uploading in the Website.
6. Office File.

Registrar i/c
Assam Information Commission