



**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.33/2019
Appellant : Md. Abu Taher
Respondent : The SPIO, O/o the Block Elementary Education Officer,
Tihu-Barama Education Block, Dist.- Nalbari, Assam
Date of hearing : 23.07.2019
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R

23.07.2019

Sri Swaraj Mahilary, BEEO/SPIO, Tihu-Barama Education Block, Sri Dhiraj Kumar Nath, Statistical Assistant, Sri Apurba Kr. Kakati, Inspecting Auditor and Sri Pulak Talukdar, Senior Assistant as deputed by the DEEO, Nalbari are present. A Written Statement dated 20.07.2019 received from the DEEO.

The Appellant absent.

Perused the Written Statement. The DEEO, Nalbari to whom the First Appeal dated 08.03.2019 had been made, forwarded the same to the BEEO, Tihu-Barama with a direction to furnish the information to the Appellant.

Heard the BEEO/SPIO and the deputies of the DEEO. It was submitted that his office was not the holder of the information and that the appointing authority in respect of Upper Primary Schools was the DEEO while the appointing authority in respect of the L.P. School teachers listed by the Petitioner in his RTI Application was the Deputy Inspector of Schools, Nalbari. It was added that according to the system prevalent at the time of recruiting the listed teachers selection of candidates was done by a Sub-Divisional level selection board, and the same was done in respect of Nalbari district by such a committee, there being no other civil sub-division in the district at that time. The Commission observes that the SPIO/BEEO ought to have transferred the RTI Application within 5 days of receiving the same to the appropriate authorities.

Considering the submissions, **the Commission hereby directs the SPIO/BEEO to transfer the RTI Application dated 03.01.2019 of Sri Abu Taher to the SPIOs of the respective Public Authorities who are the holders of the information sought for within 5 days of receipt of this order under intimation to the Appellant.**

The Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to submit a fresh First Appeal to the appropriate First Appellate Authorities of the new SPIOs within the timeline stipulated by the RTI Act, 2005.

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.33 /2019

Dtd.23.07.2019

Copy to:

1. The SPIO, O/o the Block Elementary Education Officer, Tihu-Barama Education Block, Dist.- Nalbari, Assam, Pin- 781 333 for information and necessary action.
2. The First Appellate Authority/office of the Dist. Elementary Education Officer, Nalbari, Dist.- Nalbari, Assam, Pin- 781 335 for information.
3. The Petitioner, Md. Abu Taher, S/o- Lt. Mokshed Ali, Hospital Road, PO- 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