

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/KP(M)509/2019
Complainant/ Appellant : Sri Gunjan Pratim Dutta
Respondent : SPIO of Elementary Education Department, Dispur,
Ghy-6
Date of Hearing : 22-10-2020
Complaint/ Second : Dr. A.P.Rout, IPS(Retd)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
22-10-2020

1. The petitioner Sri Gunjan Pratim Dutta is present.
2. The Public Authority to be represented by SPIO of Elementary Education Department is absent. The SPIO has submitted a written statement dated 21.10.2020 which is taken into records. In the written statement, she has mentioned that the department has furnished reply to question no. 1 directly to the petitioner vide letter no. EAA/RTI/2/2019/6 dated 25.6.2019. In the letter she also mentioned that District Elementary Education Tinsukia is directed to furnish reply to question no. 2, 3 and 4. However, she has not submitted any postal receipt in support of dispatch of the information as petitioner says that he has not received the said letter.
3. Further as petitioner has not received this letter obviously he is not aware that the District Elementary Officer will furnish the information to question no. 2,3 and 4 of his query.
4. As per Section 6(3) of RTI Act, 2005 whenever the petition is redirected to another PIO it is equal responsibility of the SPIO to see that the appellant gets the information.
5. As per Commission letter dated 18.8.2020, it has been clearly mentioned that Deemed PIO U/S 5(4) and 5(5) of RTI Act 2005 is equally responsible for non furnishing or delay in furnishing the information beyond the stipulated period.
6. Since the petition is transferred to another PIO it is the responsibility of the SPIO to intimate to the DPIO to attend the hearing.
7. Fix 16.11.2020 at 12:00 P.M as the next date of hearing. Issue notices to both SPIO and Deemed PIO to attend the hearing with respective written statement.

Sd/-
Dr. A.P.Rout

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)509/2019

Dated: 22-10-2020

Copy to:

1. Sri P. Saikia, Commissioner & Secy, to the Govt. of Assam, Elementary Education Dept. for information.
2. Smti. Rita Barbara (Misra), Joint Secretary & SPIO of the Office of DTO, Kokrajhar, BTC, Assam for information. She is requested to remain present in the next date of hearing.
3. The petitioner Sri Gunjan Pratim Dutta, H. No.5, Kekora Nagar, Near Mukesh Hyundai, Ganeshguri, Ghy-06 for information.
4. Computer section for uploading in the website
5. Office File
6. Order Book

Registrar i/c
Assam Information Commission