



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/KMJ.12 /2019  
 Appellant : Md. Faruque Ahmed Choudhury  
 Respondent : The SPIO/Principal, Jafargarh Extd. H.S. School, PO-  
 Baraigram, Dist.- Karimganj, Assam, Pin- 788 719  
 Date of hearing : 16.10.2019  
 Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
 State Information Commissioner, Assam

**O R D E R**

16.10.2019

Sri Debashish Sen, SPIO and Principal, Jafargarh Extd. H.S. School, Karimganj is present.

The Appellant absent without information.

Perusal of the case record indicates that the Appellant had submitted his Second Appeal dated 19.06.2019 being aggrieved at not receiving the information on his four-point RTI Application dated 22.11.2018 within the stipulated time, and any decision from the First Appellate Authority on his First Appeal dated 18.03.2019. The Commission received a copy of a letter dated 30.09.2019 which the Appellant wrote to the Principal of the School stating that in the response he has received through the letter dated 10.09.2019 the information provided in respect of point number 2 was not 'authentic'. On this point, the information he wanted to know was whether there was any order of Director/Commissioner, Secondary Education, Assam to release under-qualified teachers on or before 31<sup>st</sup> March, 1990. The reply given was 'no.' In his said letter to the Principal the Appellant stated that the reply contradicted the order of the Inspector of Schools, Karimganj dated 05.04.1990 issued in pursuance of a telegraphic order dated 03.04.1990 from the Director of Secondary Education, Assam. A copy of the said letter was enclosed by the Appellant. In his Written Statement dated 23.09.2019 and 01.10.2019 the Principal had submitted that the information could not be furnished within the stipulated time owing to his preoccupation with various Board examinations which he had to conduct. Further, the person on whom the information was sought had retired from service on 31.10.2018 and all the information sought for was not in the records of the school.

The Principal submitted in his personal deposition that he had joined the school as Principal on 02.08.2017 and had to depend on records for furnishing the information and has relied mainly on the copy of the service book of the person concerned. He produced a copy of the relevant service book for the perusal of the Commission. He submitted that the reply he had given through his letter dated 10.09.2019 was thus factual being wholly based on record.

Considering the submissions as above, the Commission is of the view that the Principal has already furnished the information based on the records of the institution and if the Appellant is in possession of any information to the contrary to it and has any allegation of irregularity he is at liberty to move appropriate administrative authorities in this regard for redressing his grievances.

The explanation given by the Principal regarding his failure to furnish the information within the stipulated time of 30 days from the date of receipt of the Application is not acceptable as there is no provision in the RTI Act, 2005 for exception to the rule in this regard. **The Commission therefore hereby directs the SPIO/Principal, Jafargarh Extd. H. S. School to henceforth furnish information sought for under the said Act within the stipulated time.**

**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/KMJ.12 /2019**

**Dtd.16.10.2019**

Copy to:

1. The SPIO/Principal, Jafargarh Extd. H.S. School, PO- Baraigram, Dist.- Karimganj, Assam, Pin- 788 719 for information and necessary action.
2. The First Appellate Authority/office of the Inspector of Schools, Karimganj, Dist.- Karimganj, Assam, Pin- 788 710 for information.
3. The Appellant, Md. Faruqe Ahmed Choudhury, Saral Kha Road, PO- Settlement Road, Dist.- Karimganj, Assam, Pin- 788 712 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission