



OFFICE OF THE

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

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Case No. : SIC/OS.30 /2020
 Appellant : Sri Ranjit Ch. Roy
 Respondent : The SPIO, O/o the
 1. Block Elementary Education Officer, Jugijan, Hojai
 2. The Headmaster, Vidyasagar ME School, Hojai
 Date of hearing : 15.12.2020
 Second Appeal heard by : Sri Kanak Ch. Sarma
 State Information Commissioner, Assam

O R D E R

04.02.2021

The appellant is absent without step.

Sri Jiten Deka, BEEO, Jugijan, Hojai is present along with Sri Shibshankar Bhattacharjee, Headmaster, Vidysagar M.E. School, Hojai.

The BEEO, Jugijan has submitted one written statement vide letter no. BEEO/JGN/RTI/05/2102 dated 03.12.2020. The written statement is entered into the case record.

Seen the case record. The appellant Sri Ranjit Ch. Roy submitted one RTI petition dated 23.04.2019 under the provision of RTI Act, 2005 before the SPIO, Directorate of Elementary Education, Assam. He did not receive the sought for informations within the stipulated time and submitted 1st appeal dated 24.01.2020 before the 1st Appellate Authority of Directorate of Elementary Education, Assam. Still he was not able to receive the sought for informations and being aggrieved, preferred 2nd appeal dated 02.05.2020 before the Commission.

Seen the RTI application dated 23.04.2019 of Sri Ranjit Ch. Roy. The appellant put forwarded two queries to the SPIO instead of seeking informations. The queries are as follows-

1. What was the exact date of my admission in class- B?
2. What (i.e. in which date) I left that school after successful completion of class -III?

The Headmaster of Vidyasagar Pathsala M.E. School where the erstwhile Golaghotia Bastohara L.P. School had been amalgamated informs the petitioner Sri Ranjit Ch. Roy that no documents can be found to furnish the replies. The BEEO, Jugijan, Hojai informs through written statement submitted vide letter no. BEEO/JGN/RTI/05/2102 dated 03.12.2020 that the record on which the informations should be furnished is forty-nine years old and such old record has not been preserved properly. It is also submitted that the infrastructure of school building was poor and several Head Teacher retired on superannuation. It is not possible to furnish the informations pertaining to the year 1971-75 years.

For disposing of this 2nd appeal we need to consider two things, firstly the RTI petition submitted by the appellant instead of seeking informations put forward two queries. The SPIO has no obligation to reply as emphasized by the Hon'ble Central Information Commission in case no. CIC/AT/A/2006/00045 in Dr. D.V. Rao, Superintendent (Legal), Deptt. of Legal Affairs Vs. Shri Yashwant Singh, APIO & Deputy Secretary (A), Deptt. of Legal Affairs & Shri K.D. Singh, Appellate Authority & Addl. Secretary (Admin).

Secondly, the informations sought by the appellant are quite old, i.e. it relates to record of forty-nine years old. The school authority unhesitating submits that there is no record of admission/attendance registers of students for the period 1971-75 of which the appellant sought informations. The BEEO, Jugijan and the surviving retired Head Teachers of Vidyasagar M.E. School informs that several Head Teachers had retired since 1971-75 and no record is available for that period. It is also stated that the records may have been destroyed for poor condition of the school building.

Since the records are not available, as such, it is beyond capacity of the SPIO to furnish the sought for informations. **The Director of Elementary Education, Assam is suggested to pass necessary instruction to all school authorities to preserve the old records as far as possible so that no student is deprived from informations due to non preservation of records.**

In view of the above, **the 2nd appeal dated 02.05.2020 is disposed of with no order.**

Sd/-
(Kanak Ch. Sarma)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/OS.30 /2020

Dtd.04.02.2021

Copy to:

1. The Director of Elementary Education, Government of Assam, Kahilipara, Guwahati-19 for information and necessary action.
2. The SPIO, O/o the Block Elementary Education Officer, Jugijan, Hojai, Assam for information and necessary action.
3. The Headmaster, Vidyasagar ME School, PO- Hojai, Dist.- Hojai, Assam for information and necessary action.
4. First Appellate Authority/office of the Dist. Elementary Education Officer, Nagaon, Dist.- Nagaon, Assam for information.
5. The Appellant, Sri Ranjit Chandra Roy, o/o the Director of Census Operations, Tripura, 210/D, Office Lane, Agartala- 799 001 for information.
6. Computer Section for uploading the order in the Website.
7. Office File.

Secretary & Registrar
Assam Information Commission