

Case No.	: SIC/SSM.8/2021
Complainant/ Appellant	: Shri Anowar Hussain.
Respondent	: The SPIO/Head Teacher, Paglatola L.P. School, Paglatola, Vill. Paglatola, P.O. Fekamari, Distt. South Salmara Mankachar, Assam.
Date of Hearing	: 17-02-2022
Complaint/ Second Appeal heard by	: Shri Samudra G. Kashyap. State Information Commissioner, Assam

O R D E R
17-02-2022

1. The appellant Shri Anowar Hussain is present.
2. Shri Zaman Ali Ahmed, Head Teacher, Paglatola L.P. School, Distt. South Salmara Mankachar, is present. The Commission has received a written statement No. BEEM/RTI/05/Pt/2/52/2019/610 dated 15.02.2022 from the Block Elementary Education Officer, Mankachar, stating that the RTI petition of Shri Anowar Hussain dated 25.01.2021 was transferred to the Head Teacher, Paglatola L.P. School on 16.02.2021.
3. During today's hearing, Head Teacher Shri Zaman Ali Ahmed submitted the photocopy of a letter he had written to the appellant on 19.02.2021 requesting him to deposit photocopying charges for providing him 65 pages of information. The Head Teacher also submitted photocopy of post office record showing that he had posted the letter requesting the appellant Shri Anowar Hussain to deposit photocopying charges on 19.02.2021, which is well within one month from the date of submission of the RTI application. The Head Teacher said he had not received any response from the appellant Shri Anowar Hussain to the request to deposit photocopying charges.
4. On 02.03.2021, the appellant Shri Anowar Hussain submitted an Appeal before the BEEO, Mankachar, stating that he had not received any response against his RTI application. On 21.06.2021 he submitted a 2nd Appeal before this Commission.
5. The Commission has received a written statement dated 15.02.2022 from the BEEO, Mankachar, stating that the RTI application of Shri Anowar Hussain dated 25.01.2021 was transferred to the Head Teacher, Paglatola L.P. School, which was received by the Head Teacher on 16.02.2021. It also stated that the Head Teacher, Paglatola L.P. School had written a letter to the RTI applicant Shri Anowar Hussain on 19.02.2021 requesting him to deposit photocopying charges. The photocopy of the post office booking slip dated 20.02.2021 has been also enclosed. The BEEO also informed the Commission that the petitioner neither deposited the photocopying charges nor contacted the Head Teacher, Paglatola L.P. School, for obtaining the information he had sought. The Head Teacher said he has already kept ready all relevant information as sought by the petition.
6. During today's hearing, the appellant Shri Anowar Hussain claimed that he had not received the Head Teacher's letter dated 19.02.2021 by post. The Head Teacher however said that he had checked the website of Department of Post and found that his letter was duly delivered. **The Head Teacher is directed to provide the Commission a copy of the proof of delivery.**
7. **During today's hearing, the Head Teacher Shri Zaman Ali Ahmed, said that the informations, 65 (sixty-five) pages, in all is kept ready to be furnished. From records it is seen that the Head Teacher had indeed put in his best efforts to furnish the informations to the appellant within one month from the submission of the RTI application. While more than one year has lapsed for no fault of the Head Teacher, and the appellant has not**

collected the informations, hence the Head Teacher is directed to furnish the informations to the appellant Shri Anowar Hussain within the next 7 (seven) days. The appellant is entitled to get the informations free of cost because of the delay, in the instant case the delay is not because of the Public Authority, i.e. the Head Master. As such the appellant shall be provided the first 50 (fifty) pages of informations free of cost, and the remaining pages by realizing the photocopying charges.

8. With the above order, this 2nd Appeal is hereby disposed of.

Sd/-
(Samudra G. Kashyap)
State Information Commissioner,
Assam.

Authenticated true copy.


Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/SSM.8/2021

Dated: 17-02-2022

Copy to:

1. The SPIO/Head Teacher, Paglatola L.P. School, Paglatola, Vill. Paglatola, P.O. Fekamari, Distt. South Salmara Mankachar, Assam, PIN Code. 783135 for information and necessary action.
2. The SPIO, O/o the BEEO, Mankachar Education Block, Hatsingimari, Distt. South Salmara Mankachar, Assam, for information.
3. The First Appellate Authority/ O/o the BEEO, Mankachar Education Block, Hatsingimari, Distt. South Salmara Mankachar, Assam, for information.
4. The petitioner, Shri Anowar Hussain, S/o Nurul Islam Vill. Hatsingimari Bhimapar, P.O. Hatsingimari, P.S. South Salmara, Distt South Salmara Mankachar, PIN Code 783135, Assam, for information.
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.


Secretary & Registrar
Assam Information Commission.