



OFFICE OF THE

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

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Case No. : SIC/JRT.9/2022
 Appellant/Complainant : Sri Jugal Kishore Koushik
 Respondent : The SPIO, O/o the Director of Technical Education, Assam
 Date of hearing : 23.05.2022
 Second Appeal /Complaint
 heard by : Sri Kanak Ch. Sarma
 State Information Commissioner, Assam

O R D E R

23.05.2022

The appellant Sri Jugal Kishore Koushik through his e-mailed letter dated 10.05.2022 informed the Commission that he is unable to attend today's hearing owing to his illness and requested to exempt him from attendance and to take action as deem fit.

Dr. Nazrul Haque, Joint Director, Technical Education, Assam and SPIO is present. He submits written statement vide letter no. TE(E)RTI-2/2013/240 dated 11.05.2022. Smti. Rita Choudhury, Registrar i/c, Technical Education, Assam is also present.

Perused the case record. The appellant submitted one application dated 22.12.2021 under the RTI Act, 2005 before the SPIO, Director of Technical Education, Assam seeking certain informations. The SPIO of Directorate of Technical Education, Assam forwarded the RTI application to the Principal of POWI, Jorhat for taking necessary action as the matter relates to his institution. The SPIO of Directorate of Technical Education, Assam also furnished him reply vide letter no. TE(E)RTI-2/2013/215 dated 11.01.2022. The petitioner was not satisfied with the reply received and preferred 1st appeal petition dated 31.01.2022 before the Director of Technical Education, Assam. The Director of Technical Education, Assam and 1st appellate authority organized hearing for 1st appeal petition fixing date of hearing on 03.03.2022 and it was disposed of since the appellant fails to appear before the FAA. Thereafter, the appellant preferred complaint petition dated 31.03.2022 before the Commission.

Seen the RTI application dated 22.12.2021. The content of the application seems to be not for information rather it is a series of questions only. The Central Information Commission's order dated 21.04.2006 in case no. CIC/AT/A/2006/00045 reads as follows-

"It is not open to an appellant to ask, in the guise of seeking information, questions to the public authorities about the nature and quality of their actions. The RTI Act does not cast on the public authority any obligation to answers queries, as in this case, in which a petitioner attempts to elicit answers to his questions with prefixes, such as, why, what, when and whether. The petitioner's right extends only to seeking informations as defined in Section 2(f) either by pinpointing the file, document, paper or record, etc. or by mentioning the type of information as may be available with the specified public authority."

Therefore, the SPIO is not obliged to reply such questions. However, it is observed that the SPIO has forwarded 1st appeal petition dated 31.01.2022 of the petitioner and it was forwarded to the Principal of POWI, Jorhat preferred for taking necessary action.

The SPIO of Director of Technical Education, Assam is directed to forward a copy of the same application to the senior most Secretary of Higher Education Department for his information and necessary action.

With the above directions, the petition dated 31.03.2022 is disposed of.

Sd/-

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

Authenticated true copy

Sd/-

Registrar
Assam Information Commission

Memo No. SIC/JRT.9 /2022

Dtd.23.05.2022

Copy to:

1. The SPIO, O/o the Director of Technical Education, Assam, Kahilipara, Guwahati- 19 for information and necessary action.
2. The First Appellate Authority / o/o the Director of Technical Education, Assam, Kahilipara, Guwahati- 19 for information.
3. The Appellant, Sri Jugal Kishore Koushik , S/o- Sri Durgeswar Sarma, Sarbaibandha, Krishnanagar, Dist.- Jorhat, Assam, Pin- 785 001, Contact No. 9435671828 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.

Registrar
Assam Information Commission