

ASSAM INFORMATION COMMISSION

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/DHR.1/2022
Complainant/ Appellant : Shri Abu Chhafian.
Respondent : The SPIO, O/o the Block Elementary Education Officer,
P.O. & P.S. Golakganj Distt. Dhubri, Assam.
Date of Hearing : 06-05-2022
Complaint/ Second
Appeal heard by : Dr. Samudra G. Kashyap.
State Information Commissioner, Assam.

O R D E R
08-08-2022

1. The appellant Shri Abu Chhafian is absent without any intimation.
2. The SPIO, O/o the Block Elementary Education Officer, P.O. & P.S. Golakganj, Distt. Dhubri, Assam, is absent without any intimation. But the Commission has received a written statement No. EED-318/2nd Appeal/2020/2098 from the District Elementary Education Officer i.e FAA in this case.
3. On examination of the written statement it is seen that the 1st appeal petition of the appellant, dated 16.11.2021, was taken up for hearing on 10.5.2022 almost 6 (six) months after the 1st Appeal was submitted. The Commission notes with concern the manner in which the First Appellate Authority in the O/o District Elementary Education Office has handled this RTI matter. The RTI Act 2005 has laid down a clear and definite time frame for disposal of RTI applications and first appeals. Accordingly, a First Appeal petition is to be disposed of within (30) thirty days of the receipt of the appeal, or within such extended period not exceeding of total of (45) forty five days, as the case may be, and reasons are to be recorded in writing. In the instant case, no reason has been recorded in writing as to why the 1st appeal petition dated 16.11.2021 was taken up for disposal/hearing only on 10.5.2022, nearly 6 (six) months later. **The Director, Elementary Education, Govt. of Assam may please look into the matter and take necessary action.**
4. **In view of the above, the SPIO, O/o the Block Elementary Education Officer, P.O. & P.S. Jolakganj, Dist. Dhubri is directed to furnish the appellant Shri Chhafian the information sought, within (15) fifteen days from the date of receipt of this order, free of cost. The District Elementary Education Officer Dhubri is also directed to ensure compliance of this order by the SPIO and to send a report to the Commission accordingly.**
5. With the above order, the 2nd appeal is hereby disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/DHR.1/2022

Dated: 08-08-2022

Copy to:

1. The SPIO, O/o the Block Elementary Education Officer, P.O. & P.S. Golakganj, Distt. Dhubri, Assam, PIN Code 783334 for information and necessary action.
2. The Director, Elementary Education, Govt. of Assam, Kahilipara, Guwahati, PIN Code 781019, for information and necessary action.
3. The District Elementary Education Officer, Distt. Dhubri, Assam, PIN Code 783301 for information and necessary action.
4. First Appellate Authority/ O/o the District Elementary Education Officer, Distt. Dhubri, Assam, PIN Code 783301 for information.
5. The petitioner, Shri Abu Chhafian, S/o Abu Khayer Sheikh, R/o Bisondai PT-I, P.O. Bisondai, P.S. Golakganj, Dist. Dhubri, Assam, for information.
6. Computer section for uploading in the website.
7. Office File.
8. Order Book.

Registrar
Assam Information Commission.