

**OFFICE OF THE ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-37**

Appeal Case No:	KP(R).11/2013
Date of Hearing:	02-6-2015
Appellant :	Md. Mohibul Haque
Respondent:	Abul Kalam Azad Principal , Sontali Anchalik College.
Complaint/Second Appeal heard by:	Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam

ORDER

The public authority is represented by Sri Abul Kalam Azad, Principal, Sontali Anchalik College accompanied by Md. Abdul Barique, Sr. Asstt. of the college.

The petitioner Sri Mohibul Haque is present, accompanied by one Md. Selim Akhtar to assist him. The complaint petition dated 27-12-2013 is taken up for hearing in presence of both the parties.

The Commission notes that the earlier Second appeal petition dated 23-3-2013 was already gone into by the then State Information Commissioner Sri M. C. Malakar on 4-10-2013 and an order was also passed on the same date, directing the Principal Sontali Anchalik College, Mohtoli to furnish the required information to the petitioner within 15 days from the date of receipt of the order.

In the same order dated 4-10-2013, the then SIC directed the SPIO of the College to submit his written statement within 30 days from the date of receipt of order, stating the reasons **why penalty under Section 20(1) or the RTI Act shall not be imposed on him for his failure to furnish the required information within the stipulated period of 30 days** from the date of receipt of the RTI application.

As stated by the petitioner/ appellant and as admitted by the Principal of the College, the required information have not been furnished till today in spite of clear order from this Commission dated 4-10-2013, nor has the SPIO at the relevant point of time i.e., Md. Abul Kalam Azad, Principal, Sontali Anchalik College submitted his written statement in relation to the proposed penalty vide the order dated 4-10-2013.

Today he was heard in person. His plea was that the internal audit process was not complete at that time. But the fact remains that neither did he submit the written statement, nor did he inform the petitioner. This amounts to non-compliance with the Commission's order dated 4-10-2013.

After hearing the respondent, the Commission, therefore, imposes a penalty of **Rs.5000/-** on Md. Abul Kalam Azad, SPIO and Principal of Sontali Anchalik College for his failure to comply with the provisions of the RTI Act and this Commission's order dated 4-10-2013 and to deposit the penalty in the Head of Account- **"0070- Other Administrative Services"**

The SPIO and Principal of Sontali Anchalik College is further directed to furnish the required information to the petitioner by Registered Post, as already ordered by this Commission in its order dated 4-10-2013 within a period of 15 days from the date of this order, which was pronounced in presence of both the parties.

With the above order, the complaint petition dated 27-12-2013 is disposed of.

Sd/-

(H. S. Das, IAS)
State Chief Information Commissioner,
Assam

Authenticated true copy
Sd/-

Secretary & Registrar,
Assam State Information Commission

Memo No.SIC/ KP(R).11/2013/

02-06-2015

Copy to:

1. Abul Kalam Azad, Principal , Sontali Anchalik College, Mahtoli, Boko, for information & necessary action.
2. Md. Mohibul Haque, Petitioner, Vill- Kismat Kathmi, P.O- Dekachang, P.S- Boko, Dist- Kamrup (Rural), PIN-781 136 for information.
3. Computer section for uploading in the Website.
4. Office file.

Secretary & Registrar,
Assam State Information Commission