



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : **KP(M)316/2013**

Complainant/ appellant : **Sri Dulal Bora**

Respondent : **Education Higher (Technical) Department**

Date of hearing : **04-01-2016**

Complaint/ Second appeal heard by : **Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The appellant Sri Dulal Bora is present. The public authority is represented by (1) Sri Monoj Saud, SPIO and Director of Technical Education, Assam, Kahilipara & Deputy COE and (2) Smti Rita Choudhury, Sr. Assistant.

The second appeal petition dated 6-5-2013 is taken up for hearing in presence of both the parties.

The Director (Technical) Education has sent a written submission dated 4th January, 2016, narrating the actions taken by his office in response to the RTI petition dated 19-3-2013, which was received on 25-3-2013. The SPIO also submitted an identical written submission dated 4th January, 2016.

From perusal of the case records, it is seen that the applicant Sri Dulal Bora vide his RTI petition dated 19-3-2013 before the Directorate of Technical Education, Assam sought information on whether any action was taken against Sri Akshay Kumar, Principal of Assam Engineering Institute on the basis of Media reports published against him from time to time. The Director of Technical Education and SPIO of his office has made another written submission that the State Govt. in the Higher Education (Technical) department is the appointing and Disciplinary authority in respect of Sri Akshay Kalita, who is a Gazetted officer and Principal of Assam Engineering Institute. The RTI petition was, therefore, transferred to the Commissioner & Secretary, Higher Education (Technical) Department on 14-4-2013 i.e., within 30 days from the date of receipt of the RTI application.

The applicant Sri Dulal Bora was also informed of this transfer of his RTI application by sending a copy of that letter to him.

On the same date i.e., 12-4-2013 Sri Dulal Bora was also informed by a separate letter that the matter regarding Sri Akshay Kalita, Principal Assam Engineering Institute was still under investigation, and therefore, the information could not be disclosed immediately.

From the above, it appears that the transferred RTI application is lying in the office of Commissioner & Secretary, Govt. of Assam, Higher Education (Technical).

This Commission, therefore, directs the SPIO of the Department of Higher Education (Technical), Govt. of Assam to furnish the information whether any departmental action has been taken against Sri Akshay Kalita, Principal, Assam Engineering Institute on the basis of media reports against him from time to time within 15 days from the date of receipt of this order.

With the above order the second appeal petition dated 6-6-2013 is disposed of.

**(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati**

Authenticated true copy.

**Secretary & Registrar
Assam State Information Commission**

Memo No.**KP(M). 316 /2013 / -A**

Dtd. 4-1-2016

Copy to:-

1. Sri Monoj Saud,SPIO and Director of Technical Education, Assam, Kahilipara & Deputy COE and (2) Smti Rita Choudhury, Sr. Assistant. for information and necessary action.
2. The SPIO of the Department of Higher Education (Technical),. Govt. of Assam for information and necessary action.
3. Commissioner & Secretary, Govt. of Assam, Higher Education (Technical), Dispur, Guwahati-6 for information and necessary action.
4. Sri Dulal Bora, Koinadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
5. Computer Section for uploading in the Website.
- 5.` Office File.

**Secretary & Registrar
Assam State Information Commission**