



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

Case No. **KP(M). 1/2016**

Complainant/ appellant **:Dr. Kalidas Sarma**

Respondent **:Directorate of Higher Education.**

Date of hearing **: 09-02-2016**

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

O R D E R

The petitioner Dr, Kalidas Sarma is present. The public authority is represented by Smti Chinmoyee Talukdar, SPIO cum Deputy Director, of the Directorate of Higher Education, Assam.

The second appeal petition dated 8-1-2016 is taken up for hearing in presence of both the parties.

The SPIO and Dy. Director of Higher Education has made a written submission dated 8-2-2016 which is entered into the case register. In her written submission she has stated that Dr. Kalidas Sarma's RTI petition dated 22-6-2015 was transferred to the Principals of all Provincialized Colleges of Assam on 16-7-2015 with a request to furnish the information directly to the petitioner. She has further stated that some of the Principals have furnished information to the petitioner, but most of them have not and one Principal have requested the petitioner to deposit the cost of photo copying the required materials.

The SPIO has also mentioned in her written submission that the information sought for by the petitioner are not available in the Directorate.

When asked by this Commission, the SPIO stated that the total No. of Provincialized Colleges plus Govt. Colleges in Assam is- 301.

From perusal of the RTI petition dated 22-6-2015 of Dr. Kalidas Sarma it is seen that he has prescribed a format containing 28 columns in which 301 college Principals are requested to furnish the information. The SPIO stated that no such format has been prescribed by the Directorate of Higher Education to the College Principals to maintain the records as sought for by the applicant , although the information sought for may be or are available in different records of the respective Colleges. Therefore, this will require compilation of information by the College Principals from their various records. Going by the volume of information sought for by the applicant this will be a disproportionately heavy burden on the resources of the Colleges.

This Commission therefore, directs the petitioner and the SPIO to sit down together and prepare a concise format within 15 days from today, in which the Principals can furnish information to the petitioner without any undue burden on their manpower, material and other resources within a reasonable period of 30 days thereafter.

This Commission is of the view that the Principals of Provincialized Colleges are required to provide readily available information which they are normally required to maintain as a part of their records, without going into elaborate details , even if such details may be required by the petitioner for his research project. For such detailed materials required for his research project the scholar/petitioner can visit and inspect the relevant records in the concerned Colleges for which he can file separate applications, if necessary.

This Commission also observes that some of the information regarding the qualification etc. of the teaching staff in the provincialized Colleges should automatically have been available in the public domain , which is mandatory under Section-4 of the RTI Act, 2005.

This Commission, therefore, directs the Principal Secretary , Education Department to prepare an appropriate format in which all the provincialized and Govt. Colleges in Assam should maintain and put up in public domain , information regarding their officers and employees, as required under Section 4(b) (ix & x) within a period of 4 (four) months from the date of this order.

Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.
Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. **KP(M) 1 /2016 / -A**

Dtd. 9-2-2016

Copy to:

1. Principal Secretary to the Government of Assam, Higher Education Department, Dispur, Guwahati-6 for information and necessary action, as ordered above.
2. Srimti Chinmoyee Talukdar, SPIO –cum- Deputy Director, Office of the Directorate of Higher Education, Kahiliparam, Guwahati-19 for information and necessary action .as above.
3. Dr. Kalidas Sarma, Devakota Nagar , P.O- Devakota Nagar, via Maligaon Guwahati-11 for information.
4. Computer Section for uploading in the Website
- 5 Office File.

Secretary & Registrar
Assam State Information Commission