



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

Case No. : SBR.,6/2014

Complainant/ appellant : Sri Parag Ch. Boiragi

Respondent : Principal & Secretary, Tingkhong College, Dibrugarh

Date of hearing : 17-02-2016

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

O R D E R

The petitioner Sri Parag Ch. Boiragi is absent without any information. The public authority ie. the SPIO of the office of Principal Secretary, Tingkhong College P.O. Tingkhong , P.O- Dibrugarh is represented by Advocate Sri Prosenjit Kr.Goswami.

The petition dated 20-11-2014 is taken up for consideration ex-parte in the absence of the petitioner.

The respondent i.e., the Principal and Secretary of Tingkhong College has sent a written submission dated 10th February, 2016 stating inter alia that the RTI petition of Sri Parag Ch. Boiragi was not received by the Principal . The Principal has, therefore, prayed for dismissal of the subsequent petition dated 20-11-2014 of the petitioner.

From perusal of the case records it is seen that the petitioner Sri Parag Ch. Boiragi filed an RTI petition before the Principal and Secretary of Tingkhong College on 20th September, 2014 seeking the following informations/ documents – ***(a) proceedings of the so-called “allegation conference” dated 17-2-14. From the petition dated 20-11-2014 it is seen that the “allegation conference” of 17-2-2014 refers to media appearance in News Live Channel and 5 Assamese dailies addressed by the Principal of the college Dr. Jyotimala Gohain and her husband Prof., Anup Phukan, (b) copy of the report of the One Man Inquiry Committee, which enquired into the allegations of forged mark sheets and certificates of the petitioner Sri P. C. Boiragi.***

It is further seen from the case records that the petitioner followed up his RTI petition dated 20-9-2014 by a reminder dated 20th October, 2014 and subsequently a prayer dated 20-11-2014 before this Commission requesting needful action by this Commission. The petitioner has not clearly mentioned whether it is a second appeal petition under Section 19 of the RTI Act or a complaint petition under Section 18 of the same Act.

However, from the tenor of the application and the contents of the prayer, it appears that he still in need of the information as he is under suspension because of those allegations and his date of superannuation is 30th November, 2016.

This Commission, therefore, treats his application dated 20-11-2014 addressed to the Commission as an appeal for getting the information.

From the RTI petition as well as the appeal petitions mentioned above, and the enclosed newspaper reports, it cannot be made out which authority had conducted the enquiry against Sri P. C. Boiragi for his alleged submission of forged mark sheets and certificates. However, it is clear that there were such allegations against the petitioner Sr. Prarg Ch. Boiragi and on the direction of the Directorate of Higher Education, Govt. of Assam an inquiry was conducted into those allegations.

This Commission is of the view that **under the RTI Act, 2005 the petitioner is entitled to get a copy of the report of inquiry into the allegations against him.**

This Commission, therefore, directs the Principal & Secretary of Tingkhong College to furnish a copy of the inquiry report to the petitioner within 7 days from the date of receipt of this order. He is also directed to furnish a copy of the proceedings of the meeting addressed by the Principal of the College on 17-2-2014, if the same was recorded and is now available in the college records.

With the above order the second appeal petition dated 20-4-2014 is disposed.

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

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam State Information Commission

Memo No. **SBR.,6/2014/**

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Dtd. 17-2-2016

Copy to:,

1. SPIO of the office of Principal Secretary, Tingkhong College P.O. Tingkhong , P.O- Dibrugarh for information and necessary action.
2. Sri Parag Ch. Boiragi, Bardova Nagaon, P.O- Batamara (Moranhat), Sivsagar, Pin- 785670 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar
Assam State Information Commission