



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

Case No. : **KP(M)356/2014**

Complainant/ appellant : **Sri Dulal Bora**

Respondent : **Higher Education Department**

Date of hearing : **28-04-2016**

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

O R D E R

The petitioner Sri Dulal Bora is present. The public authority is represented by (1) Smti Chinmoye Talukdar, SPIO and Deputy Director, Higher Education, Kahilipara, Guwahati-19 (2) Sri Nanda Ram Das, Sr. Administrative Assistant of the office of Director, Higher Education, Assam

The second appeal petition dated 19-12-2013 is taken up for hearing in presence of both the parties.

The SPIO cum Deputy Director, of the office of Director, Higher Education, Assam has submitted a written statement dated 27-4-2016, which is entered into the case records. In her written statement she has stated that although the Higher Education Department, Govt. of Assam, vide their letter dated 22nd April, 2016, had requested the Director of Higher Education to attend the hearing before this Commission today, the SPIO cum Deputy Director, has stated that she has not received the relevant RTI petition of Sri Dulal Bora.

From perusal of the written statement dated 22nd April, 2016 Smti A. S. Baruah, ACS, Joint Secretary to the Govt. of Assam, Higher Education Department, it is seen that there is no mention whether the relevant RTI petition was transferred from the Higher Education Department, Govt. of Assam to the Directorate of Higher Education Department, although a letter No. PMA(H).123/2013/3 dated 26-9-2013 has been referred to..

It is seen from the case records that the petitioner Sri Dulal Bora, vide his RTI petition dated 14-8-2013 sought the following information :-

- (a) Photo copies of Cash Books , Annual Audit Report and utilization certificates of all the State Universities of Assam from 1st January, 2007 to 31st July, 2013**
- (b) Who were the Vice Chancellors of the State Universities of Assam who were changed and for what reasons, during the period from 1st January, 2007 to 31st July, 2013.**
- (c) During the same period what were the works done by the Vice Chancellors of the State Universities.**

This Commission is of the view that for the information under Part-(a) above, the concerned State Universities will be the appropriate public authority , since they are the custodians of Cash Books / Utilization Certificates etc. This Commission therefore directs the SPIO of the Directorate of Higher Education to transfer portion (a) above along with the RTI petition to the SPIOs of all the State Universities , with the advise that they will furnish copies of the Annual Audit Reports and Utilization Certificates of the Development Branch to the petitioner within 30 days from the date of receipt of the transferred RTI petition.

As regards photo copies of the Cash Books, the SPIO of the Directorate of Higher Education will advise the SPIO of the concerned State Universities to allow the petitioner to inspect the Cash Books for the said period, during office hours, on any working day, within 30 days from the date of receipt of the transferred RTI petition and also allow him to take notes and photo copies of relevant pages free of cost up to 25 pages and thereafter, on payment of Rs. 2/- for every additional page of photo copy.

As regards portion (b) above, the SPIO of the Directorate of Higher Education, Govt. of Assam will furnish the required information to the petitioner within 15 days from the date of receipt of this order.

As regards portion (c) above, the information sought for is too general and too vague. It does not fall within the definition of Information as prescribed under Section 2(f) of the RTI Act, 2005.

With the above orders, the second appeal petition dated 19-12-2013 is disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No.SIC/KP(M)/ 356/2014 /

Dtd. 28-4-2016

Copy to:

1. Smti Chinmoye Talukdar, SPIO and Deputy Director, Higher Education, Kahilipara, Guwahati-19 for information and necessary action, as above.
2. Sri Dulal Bora, Koinadhara Tiniali, House No- 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission