



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

Case No. : SIC/KP(M).303/2016
Appellant : Shri Harinarayan Pathak.
Respondent : The SPIO, O/o the Deputy Commissioner, Dhubri.
Date of hearing : 29.06.2016
Second Appeal heard by : Smti Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
29.06.2016

The petitioner Shri Harinarayan Pathak is present.

The Public Authority is absent without any intimation.

In view of large number of cases pending before the Commission, the matter is taken up for hearing *ex parte* based on merit.

On perusal of the record, it appears that the RTI application was filed by the appellant Shri Harinarayan Pathak on 04.11.2014 seeking for information – i) name of A.D.C., Dhubri as on 18.08.2012 who had issued the Cast Certificate in prescribed format of Annexure-1 of a scholarship form for Post Matric Scholarship to the student other than Schedule Caste community during 2012-13; ii) government notified guidelines or official procedures maintained in respect of Caste Certificate dated 18.08.2012 as mentioned above issued by the A.D.C, Dhubri.

The A.D.C., Dhubri cum SPIO on 17.12.2014 informed Sri Harinarayan Pathak enclosing a copy of the letter from A.D.C. (Administration Branch), Dhubri dated 12.12.2014 that – i) Sri Mohan Saikia was the A.D.C., Dhubri, ii) the certificate was issued in prescribed format Annexure-1 provided in the application form for Post Matric Scholarship.

The petitioner on 08.01.2015 filed his First Appeal before the D.C., Dhubri that the information on point no. 1 was received by him but he was not satisfied with the information on point no. 2. The D.C., Dhubri vide order dated 25.02.2015 admitted the First Appeal and fixed on 17.03.2015 for hearing. Sri Harinarayan Pathak was informed vide letter dated 09.04.2015 with reference to his Appeal dated 08.01.2015 that the Schedule Caste Certificate issued to Smti. Lipika Roy, D/o- Sunil Roy, Ward No.15, College Nagar, Dhubri was verified by the S.D.O. (Sadar), Dhubri and from the enquiry report it appears that the MOBC certificate was appended for the scholarship form of Law College, Dhubri in respect of Smti. Lipika Roy mistakenly. In this regard, a copy of the enquiry report dated 24.12.2014 was enclosed.

The petitioner filed a reminder to the First Appellate Authority on 26.10.2015 that the information furnished vide letter dated 09.04.2015 together with the enquiry report was found to be imperfect, invalid and not related to his RTI Application.

The petitioner present furnished a copy of the enquiry report submitted by the S.D.O. (Sadar), Dhubri dated 24.12.2014. As per the enquiry report it appears that – i) the MOBC Scholarship Certificate dated 18.08.2012 issued in the name of Smti. Lipika Roy had been mistakenly issued and necessary steps may be taken for procuring the same from LLB College, Dhubri and cancelling the same; ii) the Schedule Caste Certificate issued in the name of Sunil Ch. Roy appears to be genuine but no supportive documents regarding his original residence in

Cachar District had been furnished. A copy of the S.C. Certificate may be forwarded to D.C., Cachar for examining the genuineness of the documents and the domicile status of Sunil Ch. Roy as Schedule Caste Certificate was issued in his name by Cachar District Administration in 1985; iii) As Sri Sunil Ch. Roy admitted in his statement that he has given a false information in the Scholarship regarding his profession, the controlling authority may be apprised this.

Sri Harinarayan Pathak filed the Second Appeal dated 27.01.2016 before the D.C., Dhubri in connection with the furnishing of unsatisfactory information and hearing was fixed on 24.02.2016. After perusal of all materials in hand, the D.C., Dhubri vide his order dated 24.02.2016 directed the Additional Deputy Commissioner (Administration Br.), Dhubri to furnish the official procedure followed in connection with the countersignature in prescribed Scholarship Format in Annexure-1. The A.D.C. vide letter dated 05.05.2016 enclosed a copy of the issue by A.D.C. (Administration Br.) wherein it was stated that the procedure followed at the time of countersignature was as instructed in the prescribed format in Annexure-1 and the Caste Certificate is verified with due caution and then countersignature is given by the authorized officer on Annexure-1 in prescribed scholarship format. On perusal of the documents discussed above as furnished by Sri Harinarayan Pathak, it appears that the official procedure maintained in respect of Caste Certificate has been noted vide letter dated 28.04.2016 but a copy of the instruction in the prescribed format in Annexure-1 has not been furnished to the petitioner. The Commission therefore directs the SPIO to furnish a copy of the procedure followed at the time of countersignature as instructed in the prescribed format in Annexure-1 and furnish a copy of the Annexure-1 to the petitioner, within 15 days from the date of receipt of this order.

With the above direction, the Second Appeal petition dated 14.12.2015 stands disposed of.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/KP(M).303/2016/ 27 -A

Dtd. 29.06.2016

Copy to:

1. The SPIO, office of the Deputy Commissioner, Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information and necessary action.
2. The First Appellate Authority/Deputy Commissioner, Dhubri, Dist- Dhubri, Assam, Pin- 783301 for information and necessary action.
3. Sri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati-781001 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission