

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

Case No. : KP(M).145/2017
Complainant/ Appellant : Shri Debabrata Gogoi
Respondent : Director of Higher Education, Govt. of Assam
Date of hearing : 08.05.2017
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
08.05.17

1. The petitioner Shri Debabrata Gogoi is present accompanied by Smt. Durga Maya Subba to assist him. The public authority is represented by Smti. Chinmayee Talkukdar, Deputy Director & SPIO of Directorate of Higher Education, Govt. of Assam accompanied by Shri Nanda Ram Das, Sr. Assistant of the Directorate. The second appeal petition dated 7.4.17 is taken up for hearing in presence of both the parties.

2. From perusal of the case records it is seen that the petitioner filed an RTI petition dated 9.12.16 before the PIO of the Directorate of Higher Education, Kahilipara, Guwahati seeking the informations:-

(i) List of Principals appointed in provincialised colleges vide letter No. G(B) CC.47/2011/75 dated 18.11.11 issued by the Directorate of Higher Education, and

(II) Copy of the guideship/supervisory certificates submitted by the Principals for appointment as Principal in provincialised colleges from 18.11.11 to 9.12.16.

3. The Deputy Director & SPIO of the Directorate of Higher Education has submitted a written submission dated 6.5.17 stating that information in respect of point no. 2 (i) above, i.e., the list of Principals who were appointed in provincialised colleges were furnished to the petitioner vide letter dated 27.01.17, copy of which is enclosed with her WS. The petitioner submitted that he has received the list of Principals only today. It seems that the post copy did not reach him. In any way, position as on date is that he received the sought for information in respect of point No. 2 (i).

4. (i) Coming to point no. 2 (ii), it transpired in course of today's deliberations that guideship/supervisory certificate is one of the necessary eligibility criteria for appointment of Principals in provincialised colleges. The SPIO present stated that as per existing practice of the Directorate the guideship/supervisory certificates are sent to the record rooms after they are done with, i.e., after Principals are appointed. She further added that since it is difficult to retrieve the certificates from the record rooms due to

shortage of manpower, this part of the RTI application was transferred to the principals of all the provincialised colleges of Assam vide Directorate's letter No. DHE/RTI/282/2016/20 dated 5.5.17, i.e. long after the RTI application was filed.

(II) This Commission is of the view that the guideship/supervisory certificates which are necessary to establish the eligibility criteria of Principals of provincialised colleges is part of the service records and it should be maintained as such. This Commission, therefore, directs the Director of Higher Education to:-

(a) Rectify their present practice of record maintenance in conformity with the relevant provisions of RTI Act, 2005, particularly section 4,

(b) **To allay any misgivings about the veracity of the guideship/supervisory certificates submitted by the Principals of the provincialised colleges appointed during the period from 18.11.2011 to 9.12.2016, the SPIO of the Directorate of Higher Education is directed to furnish copies of all such certificates to the petitioner free of cost within 45 days from the date of receipt of this order.**

5. With the above order, the second appeal petition dated 7.4.17 I 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).145/2017/

Dtd. 08.05.2017

Copy to:

1. The Director of Higher Education, Govt. of Assam, Kahilipara, Guwahati-19 for information and necessary action.
2. the Deputy Director & SPIO of the Directorate of Higher Education, Govt. of Assam, Kahilipara, Guwahati-19 for information and necessary action.
3. Mrs. Barnalee Misra, Information & Public Relations Officer, Assam Information Commission, Panjabari, Guwahati-37 for necessary action.
4. Shri Debarata Gogoi, Advocate, Gauhati High Court, Guwahati-1 for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Registrar

Assam Information Commission