

**OFFICE OF THE  
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

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Case No. : KP(M)37/2017  
Complainant/ Appellant : Sri Mukul Sarma  
Respondent : Principal Koliabor College of Education, Nagaon  
Date of Hearing : 8 -8-2017  
Complaint/ Second : Shri H. S. Das, IAS (Retd)  
appeal heard by : State Chief Information Commissioner, Assam

**O R D E R**  
**8-8-2017**

1. The petitioner/appellant Sri Mukul Sarma is present. The public authority to be represented by the Principal/SPIO of the Koliabor College of Education is absent without any information. However, one Dr. Rupa Phukan ex-Principal of the College appeared before the Commission and stated that she was orally advised by the present Principal-In charge Smti Minati Sarma Bharali to appear before this Commission today. Dr. Rupa Phukan submitted a written statement as ex-Principal of the College that so far her knowledge goes, informations sought for by the RTI petitioner at point Nos. 1, 2 and 3 of his RTI petition dated 19-10-2016 are available in the College.
2. As regards point No. 4 Dr. Rupa Phukan stated in her W/S that the College authorities never issued any salary certificate to the teachers of the College. Along with her written statement Dr. R. Phukan has also enclosed a copy of a certificate concerning the service period of one Smti Charusmita Mahanta, Koliabor College of Education, Kuwaritol, District- Nagaon from 3-3-2003 to 3-3-2008. As already mentioned in this Commission's previous order dated 18-7-2017 the Koliabor College of Education, Kuwaritol, is a private Educational Institution, but in receipt of substantial finance amounting to Rs. 60 lakh as well as ten (10) bighas of land from Govt. of Assam. Therefore, the college comes under the definition of a public authority under Section 2(h)(ii) of the RTI Act, 2005. It also appears from the petitioner's RTI petition dated 19-10-2016 that informations sought for by the petitioner are admissible under the RTI Act, 2005. Earlier vide a written statement dated 25-2-2017 the present Principal In charge Smti Minati Sarma Bharali made a statement that Ms. Charusmita Mahanta's name was not in the list of regular/full time or temporary/part time lecturers of the college. However, the certificate dated 25-3-2008 enclosed by the ex-Principal Dr. Rupa Phukan indicates that the earlier statement dated 25-2-2017 of the In charge Principal is false and incorrect.
3. The petitioner wanted a copy of the written statement dated 25-2-2017 filed by the I/C Principal and the written statement dated 8-8-2017 filed by the ex-Principal Dr. Rupa Phukan enclosing copy of the experience certificate dated 25-3-2008 in respect of Ms. Charusmita Mahanta. *The Registry of this Commission is directed to provide copy of the above documents to the petitioner. The present Principal In charge*

of the college is directed to attest the experience certificate with her seal and signature.

4. Also issue notice to the present Principal In charge cum SPIO of Kaliabor College of Education, Kuwaritol, Nagaon, to show cause within fifteen (15) days from the date of receipt of this order, as to why penalty under Section 20 of the RTI Act, 2005 shall not be imposed on her for making false statement before this Commission vide her written statement dated 25-2-2017 as mentioned above.

5. Fix 5-9-2017, 1.00 P.M for her personal appearance or through a representative duly authorized in writing.

Sd/-

(H. S. Das)

State Chief Information Commissioner,  
Assam

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M).37/2017/

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Dated 8-8-2017

**Copy to:-**

- 1) Principal-In charge-cum- SPIO Smti Minati Sarma Bharali , Kaliabor College of Education, Kuwaritol, Nagaon, for information and necessary action, as ordered above.
- 2) Sri Mukul Sarma, House No-3, Weekly Market Road, Paschim Boragaon, Guwahati-35 for information.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

Registrar

Assam Information Commission.