

**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

Case No. : KP(M).355/2017
Complainant/ Appellant : Sri Hari Das
Respondent : Directorate of Higher Education
Date of Hearing : 17-8-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
17-8-2017

1. The appellant/petitioner Sri Hari Das is present, accompanied by Sri Ritul Kalita to assist him. The public authority to be represented by the SPIO/Principal of Sankardev Mahavidyalaya, Pathalipahar, Lakhimpur, Assam , PIN-784 163 is absent. However, he has sent a written communication dated 3-8-2017 which is entered into the case records. He has also sent a copy of letter dated 1-8-2017 addressed to the petitioner Sri Hari Das. The appellant/petitioner has also submitted a copy of his letter dated 4-8-2017 addressed to the Principal of Sankardev Mahavidyalaya in reply to the Principal's letter dated 1-8-2017 addressed to the petitioner. This communication is also entered into the case records.
2. The second appeal petition dated 24-5-2017 is taken up for further consideration in pursuance of this Commission's earlier order dated 3-7-2017, ex-parte in the absence of the respondent.
3. The appellant has pointed out in his letter dated. 4-8-2017 that he did not file any RTI petition dated 21-3-2017, as mentioned by the Principal of the College in the first paragraph of his letter dated 1-8-2017. This Commission makes it clear that only the second appeal petition dated 24-5-2017 with reference to RTI petition dated 16-11-2016 is under consideration, and restrains both the parties from introducing any extraneous matters that may confuse the issues under consideration.
4. The petitioner submitted that he has not been able to make the payment of Rs. 742/- asked for by the Principal of the College as the mode of payment was not specified. **This Commission directs the appellant to make the required payment in cash either himself or through his authorized representative and obtain the sought for information within fifteen (15) days from the date of receipt of this order.** The Principal of the college is directed to take necessary action accordingly.
5. If the appellant is not satisfied with the informations furnished to him, he will be at liberty to approach this Commission for further orders.
6. Vide paragraph 9 of this Commission's earlier orders dated 3-7-2017 the SPIO of Sankardev Mahavidyalaya , Pathalipahar, Lakhimpur, Assam was directed to show cause as to why penalty under Section-20 of the RTI Act, 2005 shall not be imposed on him for his failure to comply with the relevant provisions, specially of Section 7 of the RTI Act and was directed to submit his written reply to the show cause order within thirty (30) days from the date of receipt of the order dated 3-7-2017. No

reply has been received from him so far. The SPIO/Principal of the Sankardev Mahavidyalaya , is directed to appear personally along with his written reply to the show cause order on September 19, 2017 , 12.30 P.M, failing which, and in the absence of any reasonable grounds for is absence, appropriate penal orders under Section 20 of the RTI Act, 2005 will be passed ex-parte.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M).355/2017/

-A

Dated 17-8-2017

Copy to:-.

- 1) SPIO/Principal, Sankardev Mahavidyalaya, Pathalipahar, Lakhimpur, Assam PIN- 784 163 for information and necessary action, as ordered above.
- 2) Sri Hari Das, , R/O Moon Sun Complex, Nepali Mandir, Paltanbazar, Md. Shah Road, Guwahai-781008 for information and necessary action as ordered above.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar

Assam Information Commission.