

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

Case No. : SIC/KP(M).90/2018  
Appellant : Shri Harinarayan Pathak  
Respondent : The SPIO, O/o the Directorate of Higher Education, Assam,  
Kahilipara, Guwahati- 19  
Date of hearing : 09.05.2018  
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
09.05.2018

Smt. Chinmoyee Talukdar, Deputy Director/SPIO, office of the Directorate of Higher Education, Assam is present along with Shri Nanda Ram Das, Senior Assistant. She has submitted a Written Statement dated 08.05.2018.

The Appellant, Shri Harinarayan pathak is present.

Perused the case record. The Appellant submitted the Second Appeal dated 16.08.2017 being aggrieved at the delay in furnishing of the information he had sought for through his RTI Application dated 05.01.2017, delay in disposal of his First Appeal dated 13.02.2017, and the documents belatedly provided being “incomplete and in clumsy manner”. He has requested for complete information and penal action against the SPIO and Public Authority in terms of Sub-Section (1) and (2) of Section 20 of the RTI Act, 2005 for what he called “wistful negligency (sic)”.

Heard the SPIO and perused her Written Statement. It has been submitted that the information in respect of point numbers 1 and 2 have been provided and the information related to point number 3 has been provided in part. She added that the Law Colleges mentioned in the RTI Application were not in the administrative jurisdiction of the Directorate. However, as Government had provided some financial assistance through the Directorate for some years in the past, the Directorate had sought Utilization Certificate from those Colleges in respect of the said financial assistance, and that information was received in part from Dhubri Law College and was awaited from the remaining four Colleges, namely, J.B. Law College, A. K. Chanda Law College, Nagaon Law College and Jorhat Law College.

The Appellant submitted that he was satisfied with the information on point number 1 but complete file notings etc. sought at point number 2 had not been received and the Utilization Certificate furnished in respect of Dhubri Law College was not properly authenticated and did not have the detailed enclosure.

The SPIO submitted that the reminders had been issued to the respective colleges seeking the relevant Utilization Certificates.

Considering the submissions, the Commission **hereby orders that the SPIO shall review the information/documents already provided in respect of point number 2 and furnish the remaining documents and provide the Utilization Certificates sought in point number 3 by obtaining them from the respective colleges as required by the terms and conditions of the grant of financial assistance. This shall be completed as soon as possible and in any case within 30 days of receiving this order.**

**The Second Appeal is hereby disposed of.**

Sd/-

Pinuel Basumatary IA & AS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Joint Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).90/201863**

**Dtd.09.05.2018**

Copy to:

1. The SPIO, O/o the Directorate of Higher Education, Assam, Kahilipara, Guwahati- 19 for information and necessary action.
2. The First Appellate Authority/Director, Directorate of Higher Education, Assam, Kahilipara, Guwahati- 19 for information.
3. The Appellant, Shri Hari Narayan Pathak, Padum Pukhuri, Uzan Bazar, Guwahati- 781 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission







