

Case No.	KP(M).1272/2017
Complainant/ Appellant	Sri Dulal Bora
Respondent	Chief Minister's Secretariat
Date of Hearing	01.06.2018
Complaint/ Second appeal heard by	Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam

O R D E R
01.06.2018

1. The petitioner Sri Dulal Bora is present. The public authority is represented by Sri Niranjan Bora, Under Secretary and SPIO of Chief Minister's Secretariat, Govt. of Assam, accompanied by Sri Prabal Jyoti Medhi, Senior Administrative Assistant in Chief Minister's Secretariat.

2. The second appeal petition dated 27-6-2017 , as re-submitted by the petitioner on 22-3-2018 after necessary rectifications, is taken up for hearing with reference to his RTI petition dated 20-8-2016, in presence of both the parties.

3. The petitioner's case , in brief , is that he filed a complaint petition dated 14-9-2015 before the Additional Chief Secretary in the Chief Minister's Sectt., Assam. His complaint was against a private educational institution named –'Concept Education", who allegedly charged exorbitant fees from the students in return for imparting coaching to facilitate admissions in All India Para-Medical Training (AIPMT)/ CEE/ AIMS etc. Sri Bora complained that the educational inputs provided by the above named educational institution is sub-standard and the fees charged by them amounts to Rs. 485/- per day, which , according to him is exorbitant. He mentioned in the complaint petition that the Institute is located at R. G. Baruah Road, Ganeshguri, Guwahati-5. He mentioned of another such coaching centre namely, Akash Institute Frenchise located at Panbazar and Bhangagarh areas in Guwahati. Sri Bora raised the issue of large number of such coaching centres operating in Guwahati City and other parts of the State, doing business in the name of imparting education and coaching. By his complaint petition he demanded an inquiry into their functioning and *modus operandi*.

4. The petitioner followed up his complaint petition dated 14-9-2015 by an RTI petition dated 20-8-2016 seeking the following informations.

- (a) The number of the file from which inquiry was ordered into the allegations mentioned in his complaint petition dated 14-9-2015 and name of the Inquiry Officer with his designation ;
- (b) names and addresses of the persons mentioned in the complaint petition dated 14-9-2015., and
- (c) photo copy of inquiry report submitted by the Inquiry Officer to his higher authorities.

5. Since the names of the Institutes complained against are already mentioned in the complaint petition , no further informations appear to be necessary in respect of para 4(b) .

6. This Commission, therefore takes up para 4 (a) and para 4(c) for consideration.

7. This Commission is of the view that the issues raised by the petitioner Sri Dulal Bora vide his complaint petition and RTI application mentioned above are of substantial public interest.

8 The SPIO and Under Secretary of Chief Minister's Sectt. has submitted a written statement dated 1st June, 2018 stating that the above mentioned complaint petition and RTI petition were forwarded and transferred to:- (a) Principal Secretary, Govt. of Assam, Education Department, (b) Commissioner & Secretary, Govt. of Assam, Home & Political Department, and (c) Deputy Commissioner, Kamrup (Metro) District , vide letter Nos. CMS.75/2015/93-A dated 30-10-2015 and letter No. CMS.7/2016(RTI)/Pt/VIII/653 dated 29-5-2018.

9 The SPIO of C.M's Sectt. could not enlighten this Commission whether any of the above three authorities have taken any action on the complaint petition the petitioner also submitted that he has not received any information from any one of them.

10. This Commission is of the view that whether such coaching centers / educational institutions as mentioned above by the petitioner in his complaint petition dated 14-9-2015 operate with permission of concerned authorities like (a) Directorate of Higher Education, Govt. of Assam, (b) Directorate of Secondary Education, Govt. of Assam and (c) the Deputy Commissioner of the concerned district, or (d) the concerned local bodies like Municipal Corporation/ Municipal Boards/ Town Committees or concerned Panchayati Raj Institutions, is a matter of significant public interest. Moreover, whether the fees charged by them and the content and quality of coaching imparted by them is approved by any authority and whether they require any trade license from the concerned authorities also appear to be relevant to larger public interest.

11. In view of the position stated above, the SPIO's of Higher , Education Department/ Secondary Education Department/Home and Political Department and Deputy Commissioner ,Kamrup (M). are directed to furnish the sought for informations to the petitioner with intimation to this Commission within 45 days from the date of receipt of this order.

12. In view of the significant public interest involved , this Commission will review the actions taken by the concerned public authorities on 20-7-2018 at 12.30 P.M.

13, Issue notices to the concerned SPIOs including the SPIO of C.M's Sectt for being present on the next date of hearing.

Sd/-
(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy
Sd/-
Registrar I/c
Assam Information Commission

Memo No SIC/ KP(M). 1272/2017/

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Dated 01.06.2018

Copy to:-

- 1) SPIO of Chief .Minister's Secretariat , Assam. Dispur. Giwahati-6 for information and necessary action
- 2) SPIO of the Education Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action as ordered above.
- 3) SPIO of the office of the Director, Higher Education, Assam, Kahilipara, Guwahati-19
- 4) SPIO of the office of Director, Secondary Education, Assam, Kahilipara, Guwahati-19 for information and necessary action as ordered above.
- 5) SPIO of Home & Political Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action as ordered above.
- 6) SPIO of the office of Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati-1 for information & necessary action , as ordered above.
- 7) Sri Dulal Bora, Koinadhara Tiniali, House No.-118, Khanapara, Guwahati-22 for information. .
- 8) Computer Section for uploading in the Website
- 9) Office file.
- 10)Order Book.

Registrar I/c
Assam Information Commission.