



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

Case No. : KP(M).132/2018
Complainant/ appellant : Shri Amarendra Kr. Sarma- Absent
Respondent : Dr. Dilip Das, Principal, North Gauhati College- Present
Date of hearing : 8.5.2019
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
8.5.2019

1. The second appeal petition dated 9.1.2018 read with non-compliance petition dated 19.6.2018 is taken up for consideration in pursuance of this Commission's earlier order dated 28.5.2018.
2. The respondent Dr. Dilip Das submitted orally that there was delay in submitting the sought for informations due to some misunderstanding. However, after receipt of this Commission's order dated 28.5.2018 followed by an order of the Hon'ble Gauhati High Court dated 11.7.2018 upholding the Commission's order dated 28.5.2018 he had furnished the sought for informations to the petitioner vide forwarding letter dated 4.10.2018.
3. The appellant/complainant Shri Amarendra Kumar Das has also submitted a written statement dated 7.5.2019 acknowledging receipt of the sought for informations from the Principal North Gauhati College. He has sought apology of this Commission for delay in informing the above fact to this Commission. His apology is accepted.
4. Except for tendering apology orally for delay in furnishing the required informations, the respondent failed to give any other explanation for his failure to comply with this Commission's order dated 28.5.2018. Meanwhile he approached the Hon'ble Gauhati High Court with a writ petition against the order of this Commission. By an order dated 11.7.2018 Hon'ble Gauhati High Court upheld this Commission's order of 28.5.2018, and not seeing any merit in the writ petition, the High Court refused to entertain it. The writ petition was dismissed vide order dated 11.7.2018.
5. Even after dismissal of the writ petition, the Principal of the College took almost three more months to furnish the information. This appears to be a clear case of willful attempt to delay and deny the appellant Shri Amarendra Kumar Sarma's right to information as conferred by the RTI Act, 2005. **The learned Principal is reminded that right to information is recognized as a fundamental right under Articles 19 and 21 of the Constitution of India. The Principal of North Gauhati College, Dr. Dilip Das is, therefore, cautioned to be more careful and prompt in dealing with RTI matters in future.**
6. With the above order, the second appeal petition dated 9.1.2018 is disposed of.

Sd/-

(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M).132/2018/

Dated. 8.5.2019

Copy to: 1. The Principal, North Gauhati College, PO- College Nagar, North Guwahati, Guwahati- 781 031 for information.
2. Shri Amarendra Kr. Sarma, House No. 35, Kharguli 1st Left Byelane, PO- Kharguli, Guwahati- 781 004
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book

Registrar i/c
Assam Information Commission