



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION  
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No. : SIC/NCH.3 /2019  
Complainant : Sri Hyder Ali Rymbai  
Respondent : The SPIO, O/o the Principal, Haflong Govt. College  
Date of hearing : 23.09.2020  
Complaint heard by : Sri Kanak Ch. Sarma, ACS (Retd.)  
State Information Commissioner, Assam

**O R D E R**  
27.10.2020

Dr. Mijanur Rahman, Principal, Haflong Govt. College is present and has submitted one written statement vide letter no. HC/RTI/2020-21 dated 23.09.2020. He is assisted by Dr. Jamshed Ali, Associate Professor, Haflong Govt. College.

The petitioner/complainant is absent without step.

Since the complaint was submitted on 02.09.2019 before the Commission and it is pending for more than one year for various reasons including lockdown for Covid-19 as such, the complaint is taken up for hearing ex parte.

Sri Hyder Ali Rymbai submitted one petition under RTI Act, 2005 to the SPIO, Haflong Govt. College, Dima Hasao dated 16.05.2019. Since he did not receive the informations within the stipulated time, he submitted First Appeal petition dated 19.07.2019 before the Principal, Haflong Govt. College. From the Complaint petition of Sri Hyder Ali Rymbai dated 02.09.2019 submitted before the Commission, it is seen that the desired informations were not furnished to the appellant till date. For the same, the complaint case is registered in the Commission.

Seen the case record. Through his application dated 16.05.2019, the complainant submitted one petition U/S 6 of the RTI Act, 2005 before the SPIO, Haflong Govt. College seeking 8 (eight) numbers of informations. For not being furnished with the informations, he submitted one reminder to the PIO, Haflong Govt. College on 26.06.2019. Then he submitted First Appeal petition dated 19.07.2019 before the Principal of Haflong Govt. College. Still, he did not receive the sought for informations. Hence, this case. The Principal of the said college submitted one written statement bearing no. HC/RTI/2020-21 dated 23.09.2020. It is submitted through the written statement that Government of Assam has never appointed any SPIO in Haflong Govt. College. As such, the college has not appointed SPIO to deal with the matters relating to the RTI petitions. It is also submitted that for convenience of college administration, one faculty is normally engaged as PIO from time to time on rotation basis. The i/c of the RTI cell of the college prepares only the replies with the informations of the RTI petition received through proper channel i.e. petitions received from the SPIO of Higher Education Department, Government of Assam and SPIO of Directorate of Higher Education, Assam.

It is also submitted that i/c of RTI cell of Haflong Govt. College informed the applicant to route the RTI application through proper channel or through appropriate authority under the RTI Act, 2005 but the applicant is stated to have not followed any advice. Instead he submitted another petition dated 16.05.2019 to the SPIO of the college. On receipt of the 2<sup>nd</sup> RTI petition, the RTI cell of the college had written a letter to the Principal Secretary, Government of Assam Higher Education Department seeking permission to furnish information but no reply in this regard has been received by the college authority. It is, further, informed that the petitioner submitted first appeal petition dated 19.07.2019 to the Principal and the FAA of Haflong Govt. College. The Principal stated to be confused as the college did not have any Government appointed FAA. He also mentioned that while college authority was in process to receive necessary permission of Higher Education Department to furnish information to the applicant he preferred first appeal. So, the contention for non-compliance of reply against the RTI petition is stated to be baseless. The explanation put forward by the Principal is hard to understand. It is not known why he submits that the college did not have government appointed SPIO as well as the FAA in Haflong Govt. College. It is clearly mentioned in the RTI Act, 2005 that every public authority shall, within one hundred days of the enactment of this Act, designate as many as officers as the Central Public Information Officer or State Public Information Officer, as the case may be, in all administrative units or offices under it as may be necessary to provide information to persons requesting for the information under this Act.

On query during the hearing, the Principal as well as the associate professor admitted that they have not gone through the RTI Act, 2005.

In view of the above, **the Commission hereby orders as follows-**

- (i) **The Principal of Haflong Govt. College will ensure forthwith that an official in his establishment is designated as State Public Information Officer U/S 5 (1) of the RTI Act, 2005 to provide information to persons requesting for information under the Act.**
- (ii) **The SPIO of Haflong Govt. College will furnish sought for information to the appellant admissible under the RTI Act, 2005 within 15 days of receipt of this order, free of cost.**

**With the above directions, the 2<sup>nd</sup> Appeal is disposed of.**

Sd/-

Kanak Ch. Sarma, ACS (Retd.)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Registrar i/c  
Assam Information Commission

**Memo No. SIC/NCH.3 /2019**

**Dtd.27.10.2020**

Copy to:

1. The Principal, Haflong Govt. College, Haflong, Dima Hasao, Dist.- Dima Hasao, Assam for favour of information and necessary action.
2. The SPIO, O/o the Principal, Haflong Govt. College, Haflong, Dima Hasao, Dist.- Dima Hasao, Assam for information and necessary action.
3. The First Appellate Authority/ Principal, Haflong Govt. College, Haflong, Dima Hasao, Dist.- Dima Hasao, Assam for information.
4. The Complainant, Sri Hyder Ali Rymbai (Sr. Citizen) Hagjer Nagar, Haflong, Dist.- Dima Hasao, Pin- 788 819, Assam for information.
5. Computer Section for uploading the order in the Website.
6. Office File.

Registrar i/c  
Assam Information Commission