

OFFICE OF THE  
**ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/DMJ 43/2020  
Complainant/ Appellant : Dr. Dilip Saikia  
Respondent : SPIO of the Office of Dhemaji College, Dhemaji  
SPIO of the Directorate of Higher Education,  
Kahilipara, Guwahati  
Date of Hearing : 25-1-2021  
Complaint/ Second : Dr. A.P.Rout, IPS(Retd)  
Appeal heard by : State Chief Information Commissioner, Assam

**O R D E R**  
**25-1-2021**

1. The petitioner Dr. Dilip Saikia is present.
2. The Public Authority is represented by Shri Diganta Hazarika, SPIO of Dhemaji College accompanied by Shri Joy Ram Hazarika, SPIO, Directorate of Higher Education, Kahilipara.
3. The SPIO Shri Diganta Hazarika vide his letter dated 5/12/2019 has mentioned that documents relating to Serial no. 1,2,3 of the question of the appellant are sent to the Directorate of Higher Education. He has further mentioned that petitioner should come for physical verification of the file.
4. The SPIO of Directorate of Higher Education mentioned that only a few documents are sent to Directorate and copies of the papers are supposed to be kept at the office of the Principal, Dhemaji College in connection with the selection of lecturers.
5. From the above, it is clear that all the documents are available at the office of Principal, Dhemaji College and the SPIO has violated provision of Section 7 of the RTI Act,2005 on not furnishing the information, this is a fit case to impose penalty i.e., fine of Rs 250 per day as per Section 20 of the RTI Act,2005.
6. However, **the Commission orders that this information to be despatched within 7 days from today through registered post to the appellant with intimation to the Registry of the Commission.**
7. The appellant Dr. Dilip Saikia vide his petition dated 25/1/2020 has mentioned that the information relating to his question no.6 is vague and untrue as the PIO vide his letter dated 5/12/2019 mentioned that Dr. Dipak Kr. Neog was a part time research scholar at Tezpur University and no leave record is available for Ph.D purpose.

As per UGC guidelines one has to undertake 6 months Ph.D. coursework if he is not a JRF candidate to be eligible to enroll as a Ph.D. scholar. This cannot happen without leave from the headquarter.

**In light of the above, the SPIO is directed to furnish correct information on JRF, coursework and leave without fail within 7 days.**

8. The Commission accepts the reply of the PIO of Dhemaji College in respect of question no. 7 and 9 of the RTI petition as 3<sup>rd</sup> party information. However, the PIO has not mentioned whether he has made any correspondence with the 3<sup>rd</sup> party for revealing the information as per Section 11 of the RTI Act.
9. **The PIO is directed to take action in this regard within 7 days from today.**
10. As regards to point no.11 of the RTI application i.e., providing certified copies of all the documents submitted by Dr. Dipak Kr. Neog with the application for the post of Dhemaji College, Dhemaji., the question is clear. The reply of the PIO appears to be evasive.
11. In light of the above, the Commission directs the PIO to submit necessary documents regarding point no.11 of application to the petitioner.

12. The case is conditionally disposed off.

Sd/-  
Dr. A.P.Rout

Authenticated true copy.

Sd/-  
Joint Registrar i/c  
Assam Information Commission

Memo No. SIC/DMJ 43/2020

Dated: 25-1-2021

Copy to:

1. The PIO of Dhemaji College, Dhemaji for information and necessary action as ordered above.
2. The Principal and First Appellate Authority of Dhemaji College for information and necessary action.
3. SPIO of the Directorate of Higher Education, Kahilipara, Guwahati for information.
4. The petitioner Dr. Dilip Saikia, C/O- Bidyadhar Saikia, Hiloipara, P.O – Kacharipathar-787058 for information.
5. Computer section for uploading in the website
6. Office File
7. Order Book

Joint Registrar i/c  
Assam Information Commission