



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/BGS.3 /2020  
 Appellant : Sri Nayan Mani Das  
 Respondent : The SPIO, o/o the Principal, Uttar Kampith Mahavidyalay (Sr.), Jagara, Nalbari  
 Date of hearing : 06.11.2020  
 Second Appeal heard by : Sri Kanak Ch. Sarma  
 State Information Commissioner, Assam

**O R D E R**  
06.11.2020

The appellant Sri Nayan Mani Das is present.

Dr. Pankaj Kr. Roy, Principal i/c and SPIO, Uttar Kampith Mahavidyalaya, Jagara, Nalbari is present.

The appellant Sri Nayan Mani Das submits one petition dated 08.07.2019 before the SPIO, Directorate of Higher Education, Assam seeking certain informations. The SPIO of Director of Higher Education, Assam transferred the said application to the Principal, Uttar Kampith Mahavidyalaya vide letter no. DHE/RTI/95//2019/3 dated 09.08.2019. The SPIO and Principal i/c of the College informed the appellant vide his letter no. UKM/RTI/2019/256 dated 26.09.2019 that the documents sought for is exempted under section 8.1(j) and concerned person Sri Sanjay Kr. Sarma did not want to furnish his personal documents to the appellant. Being aggrieved, the appellant Sri Nayan Mani Das submitted 1<sup>st</sup> appeal petition dated 25.10.2019 before the Director of Higher Education, Assam. The SPIO, Directorate of Higher Education, Assam transferred the 1<sup>st</sup> appeal petition to the Principal, Uttar Kampith Mahavidyalaya vide his letter no. DHE/RTI/95/2019/6 dated 25.11.2019 with a request to furnish the sought for informations to the appellant within 7 days of receipt of his letter. For non-receipt of the sought for informations even after 1<sup>st</sup> appeal the appellant submitted 2<sup>nd</sup> appeal petition dated 23.01.2020 before the Commission.

Seen the case record. The appellant sought the following documents in respect of Sri Sanjay Kr. Sarma, Assistant Professor, Department of Political Science, Uttar Kampith Mahavidyalaya:

“Certified official record Copies from DHE Office (a) Certificate, (b) Marksheet, and other (c) Relevant information/documents regarding Professional Qualification of M.Phil, submitted at the time of provincialisation of Service of the teacher (d) Certified Copy of Appointment letter from DHE Assam.” On receipt of the RTI petition from the Director of Higher Education, Assam the Principal i/c of the said College informs the petitioner that the sought for informations are third party informations as well as personal informations of Sri Sanjay Kr. Sarma. During the hearing on 13.10.2020 the SPIO of Uttar Kampith Mahavidyalaya submitted that the informations sought for has already been furnished to the appellant vide letter no. UKM/RTI/2019/256 dated 26.09.2019 but the appellant informs that although he is in receipt of the said letter, he is not satisfied since instead of furnishing of informations he was informed that the sought for informations fall under section 8.1(j) of the RTI Act, 2005 and as such, may be provided with. The appellant was directed to establish what

sort of greater public interest lies for divulgence of personal documents like marksheet, professional qualification etc. of Sri Sanjay Kr. Sarma, Assistant Professor, Uttar Kampith Mahavidyalaya.

On today's hearing the appellant has submitted one written statement dated 06.11.2020. The second point of the written statement reads as follows:

“That the appellant begs to state that there is a presumption that Sanjay Sarma, Assistant professor of Uttar Kampith Mahavidyalaya have provincialized his service by fabricating his documents for which the deserving and genuine candidate is deprived of from his service and which caused a Public Nuisance as he was performing a public duty, i.e. enlightening the students who are considered as the future of our nation.” On query the appellant submits orally that in his RTI application dated 08.07.2019 it was not indicated marksheet for which examination is required. He further informs that he never visited the Uttar Kampith Mahavidyalaya and also he never met Sri Sanjay Sarma personally. In his written statement dated 06.11.2020 although it is written that marksheet and other documents are fabricated by Sri Sanjay Sarma but infact he did not know what kind of fabrication is done by him.

From the above, it is observed that there is no greater public interest in seeking some personal informations of Sri Sanjay Sarma by the appellant. He let the Commission know that he never visited the said college nor he has met Sri Sanjay Sarma nor he has knowledge about the person concerned. He also cannot establish reason behind seeking such informations. The allegations he brought forward saying that the documents as well as marksheet were fabricated by Sri Sanjay Sarma for his personal benefit but the appellant admits that he does not know what kind of fabrication is done.

In view of the above, the Commission is convinced that there is no reasonable and genuine cause for seeking some personal informations by the appellant rather his application seems to be vindictive and the written statement submitted by him on 06.11.2020 is misleading. Therefore, **the 2<sup>nd</sup> appeal dated 23.01.2020 is dismissed.**

Sd/-  
Kanak Ch. Sarma  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/BGS.3 /2020**

**Dtd.06.11.2020**

Copy to:

1. The SPIO, o/o the Principal, Uttar Kampith Mahavidyalay (Sr.), Jagara, Nalbari, Assam for information and necessary action.
2. The Appellant, Sri Nayanmoni Das, Vill- Singapara, PO- Adabari, Dist.- Baksa, Pin- 781 372 for information.
3. Computer Section for uploading the order in the Website.
4. Office File.

Secretary & Registrar  
Assam Information Commission