



OFFICE OF THE

ASSAM INFORMATION COMMISSION

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/CCR.13/2020
Appellant : Smti. Himani Das
Respondent : The SPIO, O/o the Principal, Radhamadhab College, Silchar
Date of hearing : 21.02.2022
Second Appeal heard by : Sri Kanak Ch. Sarma
State Information Commissioner, Assam

O R D E R

21.02.2022

Sri Arunangshu Dhar, learned advocate of the appellant is present.

Sri Abhishek Bhattacharjee, learned advocate of the SPIO, o/o the Radhamadhab College, Silchar is present.

Perused the case record. The appellant Smti. Himani Das submitted one petition dated 25.10.2019 under the RT Act, 2005 before the SPIO of Radhamadhab College, Silchar seeking certain informations. The PIO of Radhamadhab College, Silchar gave reply on 25.11.2019 to the appellant rejecting her application and did not furnish any information. Being aggrieved, the applicant submitted 1st appeal petition dated 06.12.2019 before the Principal, Radhamadhab College, Silchar and 1st appellate authority. The FAA and Principal of the said college vide his order bearing no. RMC/RTI/44/2019-20/11/79 dated 04.01.2020 rejected the 1st appeal petition also by *ex parte* order. No notice was issued to the appellant for hearing of the same. Therefore, the appellant preferred 2nd appeal dated 20.01.2020 before the Commission.

The learned advocate of the appellant submits orally that Smti. Himani Das was not furnished with the sought for informations against her application dated 25.10.2019 by the PIO of Radhamadhab College, Silchar. The FAA also did not dispose of the 1st appeal petition dated 06.12.2019 in a proper way and passed no order to the SPIO of Radhamadhab College to furnish the sought for informations which is contravene to the RTI Act, 2005.

Seen the application dated 25.10.2019. The appellant sought for six number of informations from the PIO of Radhamadhab College. **Action to be taken by the PIO of Radhamadhab College are as follows-**

1. He is directed to furnish a copy of the letter if any was sent to the Director of Higher Education, Assam in respect of house rent allowances surrendered by Smti. Arundhati Dutta Roychoudhury.
2. The information may not be part of record and the PIO should inform the appellant accordingly.
3. The information should be given if it is maintained as a record.

4. The PIO is directed to furnish a copy of the undertaking as sought for if it is maintained as a record of the College.
5. The informations sought for is not clear and if any departmental proceedings is going on and disclosure of informations may jeopardize the inquiry procedure, only then the informations may not be furnished at present.
6. The PIO will furnish a copy of the letter if Directorate of Higher Education or Finance deptt., Government of Assam has passed any order for recovery of HRA and interest imposed on the same.

With the above directions, the 2nd appeal dated 20.01.2020 is disposed of.

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

Authenticated true copy


Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/CCR.13/2020

Dtd.21.02.2022

Copy to:

1. The SPIO, O/o the Principal, Radhamadhab College, Sonai Road, Silchar, Dist.- Cachar, Assam, Pin- 788 006 for information and necessary action.
2. First Appellate Authority/ office of the Principal, Radhamadhab College, Sonai Road, Silchar, Dist.- Cachar, Assam, Pin- 788 006 for information and necessary action.
3. The Appellant, Smti. Himani Das, C/o- Lt. Nani Gopal Das, Vill & PO- Dinanathpuri, Dist.- Cachar, Assam, Pin- 788 817 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.


Secretary & Registrar
Assam Information Commission