



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

GADAPANI PATH, JURIPAR, PANJABARI, GUWAHATI- 781037

Phone-(0361)-2332704, 2337900, 2331193 :: e-mail : secretary.aicassam@gmail.com :: visit:: www.aic.assam.gov.in

Case No. : 336911/(LPR)/6/2023  
Appellant/Complainant : Ashanul Islam  
Respondent : The SPIO, O/o the Principal, Sapatgram College Dist- Dhubri, Assam.  
Date of hearing : 09.01.2024  
Second Appeal/Complaint heard by : Shri Bhaskar Jyoti Mahanta, IPS (Retd.)  
State Chief Information Commissioner, Assam

**ORDER**  
10-01-2024

The petitioner Ashanul Islam is present. It appears from the RTI petition which was addressed to the SPIO, O/o the Inspector of Schools, DDC, Dhubri vide letter dated 19.12.2022 that the information are asked for by the petitioner in the official letter head of so called "RTI Karmi Sanstha". In his averment the petitioner states that this particular "RTI Karmi Sanstha" is not registered. The SPIO, O/o the Principal, Sapatgram College is present.

On perusal of the RTI petition it is found that the information pertaining to different aspects of the college has been asked under 19 nos. of heads which include land details, case no. and case details and hearing details of any employee of the College since the date of its inception in the court and with the police, Xerox copies of all the public complaints against the Principal, professors, clerks or any other employees, all the TA/DA bills of all the employees, all the appointment letters, all the details of power, rights etc of each of the officials of the College, all the utilisation certificates, annual reports, technical committee report, bank statement, cash book etc of the college from 2016 to 2020, all the work order copies, the scholarship given to all the students from 2000 to 2022, receipt of money from students during the admission, all the minutes and resolutions of the Governing Body from 2017 to 2022, all the details of private students, all the details of students who have been enrolled, copies of receipt of money during admission, details of return of caution money to all the students etc etc.

The SPIO giving instance of point No. 7 and 9 has stated that there are more than 3000 students in the College and if he has to get details of each of the student more than 15,000 nos of copies have to be researched and photocopied to be handed over to the petitioner only to respond to two points of the RTI queries. To do research of such voluminous documents huge manpower would be required to give reply to the RTI petition and that the college does not have spare man power to respond to such voluminous queries. He also stated that it would be perhaps easier to give reply to specific queries of limited nature.

The relevant file indicates that the petitioner has moved for the 1<sup>st</sup> Appeal to the FAA, O/o the District Commissioner, Dhubri on 04.03.2023.

The Commission is in receipt of a letter from the SPIO, O/o the District Commissioner, Dhubri which states that the matter was transferred to the Inspector of Schools, DDC, Dhubri vide DC office letter dated 14.03.2023. The same petition was transferred again by the Inspector of School's office to the Principal of the Sapatgram College on 10.04.2023. Not

I/403192/2024

receiving any information the petitioner finally moved this Commission for 2<sup>nd</sup> Appeal on 12.05.2023.

At this point the Commission would like to refer to the judgment of the Hon'ble Supreme Court in respect of **Central Board Of Sec. Education vs Aditya Bandopadhyay & Ors**, in which the Hon'ble Supreme Court has stated as follows:

**"The Act** should not be allowed to be misused or abused, to become a tool to obstruct the national development and integration, or to destroy the peace, tranquility and harmony among its citizens. Nor should it be converted into a tool of oppression or intimidation of honest officials striving to do their duty. The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. The threat of penalties under the **RTI Act** and the pressure of the authorities under the **RTI Act** should not lead to employees of a public authorities prioritising 'information furnishing', at the cost of their normal and regular duties."

The Commission observes that the RTI petition has been filed in a manner which is not in consonance with the RTI Act, 2005. The petition is furnished in a body of an unregistered organization which cannot be deemed as a citizen of the country. In addition the amount of information asked for is so voluminous that to give reply to this RTI petition 75% of the staff will have to be continuously engaged in 75% of the teaching time of the College officials. It would adversely impact the basic activity of teaching in the College.

In view of the Hon'ble Supreme Court's order mentioned above and the observation thereof the Commission disposes this petition. If the petitioner so desires he can file another RTI petition as a citizen of the country and ask specific questions which is not voluminous in nature.

With the above observations, the Commission disposes of the 2<sup>nd</sup> appeal petition dated 12-05-2023.

Signed by

**Bhaskarjyoti Mahanta**

Date: 10-01-2024 14:02:03

Shri Bhaskar Jyoti Mahanta, IPS (Retd.)  
State Chief Information Commissioner,  
Assam.

Authenticated true copy

Signed by

**Mitalee Babbar**

Assam Information Commission  
Date: 11-01-2024 09:35:21

AIC-RGR0APPL(LPR)/6/2023-REG-AIC-Assam Information Commission

1/403192/2024

Memo No. 336911/(LPR)6/2023/17-A

Dtd. 10-01-2024

Copy to:

1. The SPIO, O/o the Principal, Sapatgram College Dist- Dhubri, Assam, 783337 for information.
2. The First Appellate Authority, O/o the District Commissioner, Dhubri, Assam, 783301 for information.
3. The Appellant/Complainant, Ashanul Islam, S/o Fulchan Ali, Vill & P.O. Tutsibil, Dist Kokrajhar, BTR, Assam, 783337, Ph- 7636835892, Email- ashanul252@gmail.com for information.
4. Computer Section for uploading the order in the Website.
5. Office File.

e-signed  
Registrar  
Assam Information Commission

