

Government of West Bengal
Higher Education Department
Establishment Branch, Bikash Bhavan, 6th Floor
Salt Lake, Kolkata – 91.

No. 1621-HE(Estt)/10M-96A/20

Date : 16.10.2020

From : D.S. & S.P.I.O., Higher Education Department.

To
The Director of Public Instructions
Education Directorate (Higher),
Salt Lake, Kolkata-700091.

Sub : RTI application dt. 07.10.2020 of Dr. Satrajit Ghosh.

The undersigned is directed to transfer herewith an application dt. 07.10.2020 in original, received from Dr. Satrajit Ghosh under section 6(3) of Right to Information Act, 2005 to furnish the information to the applicant.

The matter is related to your department.

Enclo : as stated

sdf
D.S. & S.P.I.O.

No. 1621/1(1)-HE(Estt)/10M-96A/20

Date : 16.10.2020

✓ Copy forwarded for information to Dr. Satrajit Ghosh, 74, Boys School Road, Nabapally, Barasat, Kol 700126.

Further correspondence in this regard, if any, may be made to the addressee of this letter or the appellate authority of that office, which is a separate public authority.

Prabir
D.S. & S.P.I.O.

Prabir

To,
The State Public Information Officer (SPIO),
Department of Higher Education
Govt. of West Bengal
Bikash Bhavan, Salt Lake,
Kolkata - 700 091.



Sub: Request for Information under the Right to Information Act, 2005

Ref: Letter dt 26.12.2018 addressed to DPI, WB by a Govt. Nominee of Charuchandra College, Kolkata-29, as provided through the memo no. ED/RTI(08)/SPIO/2020/F/1 dt 17.06.2020

Sir,

Please provide me the following information as certified document vide sec 6(1) of the RTI Act 2005. As far as my understanding on the provisions of the RTI act 2005 is concerned, none of the information sought by me is exempted from disclosure vide sec 8(1) & Sec 9 of the RTI Act 2005. I would also like to request to provide the information as sought vide sec 7(9) of the Act.

[As per duly issued Memos by the Department of Higher Education (HE) Govt. of West Bengal(WB) as well Directorate of Public Instruction, WB in response to duly filed RTIs u/s 6.(1) of RTI Act, 2005, the duly nominated Govt. Nominees of the Governing Body of Charuchandra College, Kolkata-29 (as per Department of HE Memo No. 694-Edn (CS)/4E-34/2013 dated 21/06/2017), have no provision to exercise either of the following contraventions (of duly approved decisions and enactments in the State Cabinet):

- i) **'Post-facto extension of probation of a College Teacher after the end of 50 days of tenure of probation as directed by Sec 5.(1) of WB College Teachers (Security of Service) Act, 1975.**
- ii) **'Denouncement of power and authority of the Ex-Officio Secretary, as accentuated in Articles 93.1(a), 99(a), 98.(3), 98.(4) and 97.(a) of The Calcutta University First Statute, 1979, (constituted in accordance with Calcutta University Act, 1979).**
- iii) **Denouncement of 'due accomplishment of a college teacher regarding, duly approved decision (and enactment) of State Cabinet and subsequent statutory norms as well as rules and regulations to implement the same'.**

Due perusal be drawn to the referred letter dt 26.12.2018, that requests, '**transfer of power and authority of Charuchandra College, Kolkata on the basis of above three contravention on behalf of the Govt. Nominees of Charuchandra College'**. Any '**accord of approval** to this letter' on behalf of Department of HE, WB would essentially endorse the aforesaid **contraventions** (of duly approved decisions and enactments in the State Cabinet). Due Perusal be drawn to, **Order No 5933-F(P2) dated 31.10.2019**, that reads that, **'.. any decision taken in contravention of the above (.. standard laid down norms of governance in the State Government, all policy decisions on all matters are taken with the approval of the State Cabinet..) shall be treated as null and void'**.

1. Please let me know, the scope / provision of the esteemed offices of DPI, WB and Department of HE, WB for, '**taking any decision in contravention** of duly approved decisions and enactments of State Cabinet to accord approval of the referred letter dated 26.12.2018, through issuance of memo no. 29-Edn (CS)/4A-71/2018 dated 4 Jan 2019. If so, please furnish the relevant documents on the basis of which DPI, WB and Department of HE, WB can **take any decision in contravention** of duly approved decisions and enactments of State Cabinet to accord approval of the referred letter dated 26.12.2018, through issuance of memo no. 29-Edn (CS)/4A-71/2018 dated 4 Jan 2019.

Please provide me the information sought within the time stipulated vide sec 7(1) of the Act. Please find affixed herewith a Court Fee Stamp of Rs. 10.00 towards the application fee.

Thanking you,

Yours Truly,

Satrajit Ghosh
(Dr SATRAJIT GHOSH)

Address: 74, BOYS SCHOOL RAOD
NABAPALLI
BARASAT
KOLKATA 700126
email : gsatrajit@gmail.com
Phone: 8240696179
Dated: 7 th October 2020

