



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION  
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : DBR.43 /2013  
Complainant/ appellant : Md. Alias  
Respondent : PIO & Registrar (Judicial), Gauhati High Court

**O R D E R**  
17.3.2016

The petitioner Md. Alias and the Public Authority to be represented by the PIO and Registrar (Judicial) of Gauhati High court were absent on the last date of hearing i.e. on 23.2.16 as communicated vide this Commission's notice dtd 30.1.16. The petitioner Md. Alias sent a written submission dtd 23.2.16 which is entered into the case records. In his written statement he has narrated details about a pending Title Execution Case No. 49/82 and a Civil Revision Case No. 239/2008, besides some other extraneous issues. It is seen from the case records that the original RTI petition dtd 26.12.12 of the petitioner was in relation to CRP No.239/2008 only. This Commission will, therefore, confine its deliberations strictly within the subject matter of the petitioner's RTI petition dtd 26.12.12 and his complaint petition dtd 23.9.13.

The Registrar (Judicial) and Public Information Officer of Gauhati High Court has also submitted a detailed written statement dtd 18.2.16 with enclosures in support of actions taken at various stages in dealing with the RTI petition dtd 26.12.12 and the First Appeal petition dtd 24.6.13 of the petitioner.

From perusal of the case records and also the written submission of PIO of Gauhati High court, it is seen that the Deputy Registrar (Judicial) and APIO, Gauhati High court had already furnished the required information to the petitioner vide letter dtd 20.2.13. This was communicated to the petitioner by the Registrar of the Gauhati High Court again by his letter dtd 13.8.2013.

This Commission is of the view that the information sought for by the petitioner falls within the domain of the Gauhati High Court Rules, 2007 and the same may be obtained by following the prescribed procedure of the Hon'ble High Court. This being the case, the information sought for by the petitioner are exempted under Rule 5(e) of the Hon'ble Gauhati High Court (Right to Information) Rules, 2008. In any case, the status report of the case was available in the Hon'ble Gauhati High court's website and kiosk installed in the Gauhati High Court premises.

As regards the last para of the RTI application seeking answer and opinion from the High Court, this Commission is of the view that such questions and opinion do not fall within the purview of the RTI Act, 2005.

From the submission of Registrar (Judicial) and PIO of Gauhati High Court it is seen that the CRP No. 239/2008 was listed 24 times since 01.8.2008 and was disposed of on 13.5.15. In his written submission dtd 23.2.16, the petitioner is silent

about this important and material fact. The applicant was respondent No. 2 and he was represented in the High Court by advocates engaged by him. The petitioner and complainant could therefore, have got all the information sought by him through his advocates by following the rules and procedures of Hon'ble Gauhati High Court mentioned above. His repeated prayers and correspondence are therefore found to be misconceived and frivolous.

In any case, after final disposal of the CRP No. 239/2008 by the Hon'ble Gauhati High court on 13.5.15, the complaint petition dtd 23.9.13 has become infructuous. Hence it is dismissed.

Sd/-  
(H. S. Das)  
Chief Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-  
Registrar  
Assam Information Commission

Memo No. SIC/ DBR.43/2013/

Dtd. 17.3.2016

Copy to:

1. The Public Information Officer & Registrar (Judicial), Gauhati High Court, Guwahati- 781 001 for information.
2. Md. Alias, New Market, Kalibari, PO- Dibrugarh, Dist. Dibrugarh, Assam, PIN786001 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar  
Assam Information Commission