

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

Case No. : DBR.11/2014  
Complainant/ Appellant : Shri Bharat Kumar Dutta  
Respondent : Dibrugarh University  
Date of hearing : 30.8.2016  
Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**

30.8.2016

The public authority is represented by Shri Devraj Sarmah, SPIO & Law Officer, Dibrugarh University. The petitioner Shri Bharat Kumar Dutta is absent. However, he has made a written submission dated 30.8.2016 stating that he could not personally attend today's hearing on health ground. He has also sent a written affidavit dtd 30.8.2016 detailing his contentions in support of his second appeal petition dated 10.2.14.

From perusal of the case records it is seen that the petitioner was employed as Computer Programmer in the Finance & Accounts Branch of the office of the Deputy Registrar under the control of Registrar of Dibrugarh University. On superannuation he retired from service on 31.12.2011. Thereafter he was re-employed for one year from 1.1.12 to 31.12.12 as per relevant rules of the University prevailing at that time. The RTI petition dated 29.7.13 was filed by the petitioner after he was not given re-employment for another year after expiry of his one year re-employment from 31.12.12.

It is seen from the case records that the Registrar and first appellate authority had already given point-wise reply to the petitioner in response to his first appeal petition dated 13.11.13. The SPIO of the Dibrugarh University (DU) and the Registrar and first appellate authority have submitted two separate statements dated 30.8.16, which are entered in to the case records. It has been mentioned in their WSs that the petitioner has already been furnished with all the information sought for by him. The first appellate authority in his letter dtd 17.12.13 addressed to the petitioner clearly mentioned that retired employees were given re-employment only if their services are found to be essential in the interest of the University and that re-employment shall not be considered as a matter of right. The SPIO of DU present today further deposed that provision of re-employment of retired employee has since been abolished by the DU authorities from the year 2013

After perusal of the written submissions of both the parties it appears that Dibrugarh University authorities have already informed the petitioner, the circumstances and the grounds under which the term of his post retirement re-employment could not be extended beyond one year.

From perusal of written affidavit and second appeal petition filed by the petitioner it is seen that he is aggrieved by the decision of DU to not give him re-employment for the second year. His appeal before this Commission is made for redressal of the above grievance.

This Commission is of the view that the required information regarding non-extension of term of re-employment of the petitioner by the DU authorities have already been furnished to the petitioner. With the information received, the petitioner may, if he chooses to do so, approach the appropriate authority, including competent court, for redressal of his grievance.

This commission is not the competent authority to give any pronouncement on further re-employment of the petitioner or monetary compensation of Rs. 7 lakh as prayed by the petitioner for non-extension of the term of re-employment by one more year by the DU.

With the above order, the second appeal petition dated 10.2.2014 is disposed of.

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

Authenticated true copy.

Sd/-  
Registrar  
Assam Information Commission

Memo No. SIC/DBR.11/2014/74-A

Dtd. 30.8.2016

Copy to:

1. The SPIO of the office of the Registrar of Dibrugarh University, District Dibrugarh, Assam, PIN- 786004 for information.
2. Shri Bharat Kumar Dutta, Ganesh Kumar Dutta Path, Near Canara Bank, Front of Dutta's Parkland, Chowkidinghee, Dist. Dibrugarh, Assam, PIN- 786001 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar  
Assam Information Commission