

ASSAM STATE INFORMATION COMMISSION**JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : KP(M). 706 /2016
Complainant/ Appellant : Sri Rajib Sarmah
Respondent : Assam Agricultural University, Jorhat
Date of Hearing : 7-2-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
7-2-2017

The petitioner Sri Rajib Sarmah is absent without any information, nor has he submitted any prayer for deferment of today's hearing. The public authority is represented by :- (1) Sri Deva Ram Kaman, Comptroller, Assam Agricultural University, Jorhat, (2) Sri Munin Borthakur, Assistant Comptroller, AAU, Jorhat and (3) Sri Pareskhargaria, Suptdt. of Accounts, AAU, Jorhat.

The complaint petition dated 14-5-2014 submitted by the petitioner Sri Rajiv Sarmah is taken up for hearing ex-parte in his absence.

From perusal of the case records, it is seen that the petitioner filed an RTI petition dated 16-3-2015 addressed to the SPIO of the office of Comptroller of Assam Agricultural University Jorhat. In his RTI petition it is mentioned that in May, 2010 he was served a show cause notice by the Assam Agricultural University authorities in connection with some financial irregularities. He mentions that four other persons were also served with show cause notices in the same matter. He requested by his RTI petition to provide him with certified photocopies of show cause notices served on the other four persons.

The Comptroller of Assam Agricultural University who was present today submitted that they have not received the RTI application from the petitioner and that the petitioner himself appears to have written on the body of the RTI petition, "received by the PIO, AAU, on 23-3-2015". The Comptroller and PIO of AAU has made a written submission dated 30-1-2017, enclosing photocopies of their receipt register duly certified with the seal and signature of the Comptroller, covering the period from 23-3-2015 till 25-3-2015 in support of his submission that the RTI petition in question was not received in their office. The Comptroller also brought with him the original receipt register for showing it to the Commission.

From the records produced by the Comptroller , it is seen that the RTI petition was not received in the office of the PIO-Comptroller of AAU, Jorhat.

The only ground adduced by the complainant in his complaint petition dated 14-5-2015 is that he was not given the sought for information within the stipulated 30 days' time period by the PIO of AAU, Jorhat on 23-3-2015.

There is nothing on record and no documents submitted by the petitioner/complainant which establishes that the RTI petition was actually delivered and received by the PIO of AAU, Jorhat on 23-3-2015. In view of the above this Commission could not satisfy itself that the RTI petition was actually delivered and received by the PIO of AAU, Jorhat. The complaint petition, therefore, appears to be without merit. Hence it is disposed.

The petitioner will, however, be at liberty to pursue the matter by filing fresh RTI petition before the concerned public authority as per procedure.

Sd/-

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Sd/-

Registrar
Assam Information Commission

Memo No SIC/ KP(M). 706 /2016/ 19 -A

Dated 7-2-2017

Copy to:

- 1) Sri Deva Ram Kaman, Comptroller, Assam Agricultural University, Jorhat, for information..
- 2) Sri Rajib Sarmah, C/O Barua's Inn, Ulubari Chariali, Guwahati-7 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar
Assam Information Commission