

**OFFICE OF THE
ASSAM 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).554/2017
Complainant/ Appellant : Sri Utpal Das
Respondent : Gauhati University
Date of Hearing : 1-8-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
1-8-2017

1. The petitioner/ appellant Sri Utpal Das is present. The public authority is represented by Sri Khagen Ch. Deka, Asstt. Registrar, Gauhati University and Sri Angshuman Saikia, MTA, attached to the PIO, Gauhati University.

2. The second appeal petition dated 10-7-2017 read with the petitioner's RTI petition dated 13-4-2017 is taken up for hearing in presence of both the parties.

3. The PIO and Deputy Registrar of Gauhati University has sent a written communication dated 1-8-2017 enclosing a copy of his letter dated 27-5-2017 addressed to the petitioner Sri Utpal Das, with which the sought for informations against point Nos 2 and 4 of the RTI petition were furnished. The appellant submitted orally that he has not yet received the said letter dated 27-5-2017 along with enclosures. The ASPIO of Gauhati University who is present today is directed to furnish a copy of letter dated 27-5-2017 along with the enclosures to the petitioner today – which he did in presence of this Commission. The petitioner also received the same and gave a written statement that he is satisfied with the information furnished in respect of point Nos. 2 and 4.

4. The said letter dated 27-5-2017 also mentions that informations against point Nos. 1,3 and 5 were treated as exempted at that time under Section 8(1)(j) of the RTI Act, 2005 and hence not furnished.

5. Coming to point No. 1 of the RTI petition by which the petitioner sought photocopy of the transfer certificate of Ms Shruparna Rajkhowa, D/O Sri Subhram Rajkhowa from Bangalore University to NEF Law College Guwahati, the ASPIO submitted that the certificate is submitted to the concerned College and not to the University. The SPIO of Gauhati University is therefore, directed to transfer point No. 1 of the RTI petition to the Principal of NEF Law college, Dispur, Guwahati within seven (7) days from the date of receipt of this order for furnishing photocopy of the certificate to the petitioner, with a request to furnish the sought for information, i.e., photocopy of the transfer certificate to the petitioner, within twenty (20) days from receipt of the transferred RTI petition, since the transfer certificate in question cannot be deemed to be an exempted information under Section 8 of the RTI Act, 2005.

6. Coming to point No. 3 of the RTI petition the ASPIO said that they have meanwhile obtained the consent of Dr. Subhram Rajkhowa for furnishing the sought for information to the petitioner and accordingly the same was handed over to the petitioner in presence of this Commission today.

7. Coming to point No. 5 of the RTI petition by which the petitioner sought detailed bio-data including mark sheets of Sri Subhram Rajkhowa at the time of appointment as Lecturer and promotion from Reader to Professor, this Commission is of the view that these are personal informations which are exempted from disclosure under Section 8(1)(j) of the RTI Act, 2005 unless larger public interest justifies disclosure of such informations. The petitioner/ appellant is therefore, given fifteen (15) days' time from today to submit a written statement with supporting documents to establish any such public interest which will justify disclosure of the personal informations relating to Sri Subhram Rajkhowa, which are otherwise exempted from disclosure.

8. Fix 25-8-2017, 12.30 P.M for next hearing.

Sd/-

(H. S. Das)

State Chief Information Commissioner,
Assam

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

Memo No SIC/ KP(M)554/2017 / -A

Dated 1-8-2017

Copy to:-

- 1) Sri Khagen Ch. Deka, Asstt. Registrar, Gauhati University, Gopinath Nagar, Guwahati-14 for information and necessary action, as ordered above..
- 2) Sri Utpal Das, House No. -41, Rang Pathar Bye Lane, Fatasil Ambari, Guwahati-25 for information and necessary action as ordered above.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

Registrar

Assam Information Commission.