



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

Case No. : KP(M).67/2018  
Complainant/ Appellant : Prof. Srinath Baruah  
Respondent : Home & Political Department, Govt. of Assam.  
Date of hearing : 14.3.2018  
Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**

14.3.18

1. The appellant Prof. Srinath Baruah is present. The public authority to be represented by the SPIOs of Home Department and Political Department of government of Assam are absent without any information.
2. From perusal of the case records it is seen that the petitioner Prof. Srinath Baruah filed an RTI petition dated 2.10.17 before the SPIO of Home and Political Department. He sought the following informations:-
  - (i) Whether any inquiry by the Vigilance & Anti-corruption wing of the State police or Chief Minister's Special Vigilance Cell was ordered into alleged irregularities in K.K. Handiqui State Open University during the tenure of Prof. Srinath Baruah as Vice Chancellor, and
  - (ii) If yes, a copy of the relevant notification.
3. Not getting any response to his RTI petition, he filed a first appeal petition dated 1.11.17 before the Commissioner & Secretary and First Appellate authority of Home & Political Department. Not getting any response to his first appeal petition also, he filed second appeal petition before this commission vide appeal petition dated 12.2.18, which was within the stipulated time limit.
4. The appellant Prof. Baruah produced before this Commission a copy of letter dated 11<sup>th</sup> January, 2018 from the Joint secretary, Political Department, Govt. of Assam addressed to the Joint Secretary, Political (Vigilance) Department, Govt. of Assam seeking his assistance to provide the required information u/s 5(4) of the RTI Act, 2005, thereby making the Joint Secretary, Political (Vigilance) Department the deemed PIO u/s 5(5) of the RTI Act, 2005.
5. The informations sought for by the petitioner being very simple and straightforward, this Commission directs ex-parte the deemed PIO i.e., the SPIO of Political (vigilance) Department to furnish the sought for information i.e, whether any vigilance inquiry was ordered by the Govt. of Assam within 5 days from the date of receipt of this order. The SPIO of Political Department is also directed to furnish the said information to Prof. Srinath Baruah within another 7 (seven) days thereafter with intimation to the Registry of this Commission.
6. If no vigilance inquiry has been ordered, the petitioner may be informed accordingly. And if any vigilance inquiry was ordered, then a copy of the Government

order/notification/letter, as the case, shall be furnished to the petitioner within the time line as mentioned at para 5 above.

7. With the above order, the second appeal petition dated 12.2.18 is disposed of.

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

Authenticated true copy.

Sd/-  
Registrar  
Assam Information Commission

Memo No. SIC/KP(M).67/2018/

Dated. 14.3.2018

Copy to:

1. The Joint Secretary & SPIO of Home & Political Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. The SPIO of Political (Vigilance Cell) Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
3. Prof. Srinath Baruah, Lachit Nagar Path Tetelia, NH-37, PO- Gotanagar, Guwahati-33 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar  
Assam Information Commission