



**OFFICE OF THE
ASSAM INFORMATIONS COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No : KP (M).702/2019
Complainant/ Appellant : Sri Debajit Bhattacharyya.
Respondent : The SPIO of Director of Medical Education, Govt. of Assam
Date of hearing : 22.05.2019
Complaint/ Second : Shri H.S. Das. IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

22.05.2019

1. The petitioner Sri Debajit Bhattacharyya is present. The public authority i.e. the Director of Medical Education (DME), Govt. of Assam is present as represented by Dr. Nitul Sarma, Deputy DME and SPIO accompanied by Sri Rajib Barman, DA of the office of the DME. The second appeal petition dated 25.3.2019 is taken up for hearing in presence of both the parties.

2. From perusal of the case records, it appears that the appellant Sri Debajit Bhattacharyya filed an RTI petition dated 29.10.2018 seeking documents relating to academic records of one Sri Amit Kr. Giri, NEET UG 2018 Roll No.501501143 and State NEET UG Rank 427 was admitted to MBBS course in Gauhati Medical College for the session 2018-19. He followed up his RTI petition by first appeal petition dated 8.1.2019 before the Directorate of Medical Education, Govt. of Assam and 2nd appeal petition dated 25.3.2019. The appellant Sri Bhattacharyya submitted orally that his daughter was also an applicant for admission to the MBBS course in Medical Colleges under the Govt. of Assam for academic session 2018-19, but she was not selected for admission although Sri Amit Kr. Giri was selected, who according to the appellant's information, was less eligible than the daughter of the appellant. He further submitted that the concerned authority committed irregularities in the selection process. Therefore, even though the informations sought for by him belongs to 3rd party category, he wanted to have the informations in larger public interest and for the sake of transparency in the selection process.

3. The SPIO and Deputy DME has submitted a written statement dated 21.5.2019, which is entered into the case records. It has been mentioned in the written statement that the Principal of Gauhati Medical College was advised to provide all the records in respect of admission of Amit Kr. Giri for onward transmission to the petitioner. But the Principal refused to furnish the same without formal letter. As a result the SPIO of DME could not furnish the information to the petitioner within the stipulated time. The SPIO further mentioned that he has collected and compiled the sought for informations and copies of the same were enclosed with his written statement dated 21.5.2019. However,

the SPIO prayed for leave of this Commission to follow the procedure laid down under section 11 of the RTI Act, 2005, which relating to 3rd party informations, before the decision on the sought for informations are taken. His prayer is granted and he is directed to take appropriate decision in compliance with section 11 of the RTI Act, 2005 within 20 days from the date of this order which was pronounced in presence of both the parties, and communicate that decision to the appellant.

4. **Fix 19.6.2019 at 1.00 P.M for review of compliance.**

Sd/-

(H. S. Das)

Chief Information Commissioners, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar i/c
Assam Information Commission

Memo No. SIC/KP(M).702/2019

Dated. 22.05.2019

Copy to:

1. The SPIO office of the Director of Medical Education, Six Mile, Khanapara, Guwahati-22, Assam, for information and necessary action.
2. The Petitioner, Sri Debajit Bhattacharyya, House No-44, Flat No.C-2, Park Apartment, Kanaklata Path, Lachit Nagar, Ulubari, Guwahati-781007 for information.
3. Computer Section for Uploading in the Website.
4. Office File
5. Order Book

Registrar i/c

Assam Information commission