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| Case No. | KP(M)750/ 2019 |
| Complainant/ Appellant | Sri Abhinandan Kashyap. |
| Respondent | : 1) SPIO of the office of the Assam Public Works Department. 2) SOIO of the office of the Assam Engg. College. |
| Date of hearing | 02.07.2019 |
| Complaint/ Second | : Shri H. S. Das, IAS (Retd) |
| Appeal heard by | Chief Information Commissioner, Assam |

1. The appellant Sri Abhinandan Kashyap is absent. He has authorized his father Sri Niren Deka to represent him in today's hearing by a letter dated 2.7.2019. The public authorities are represented by (i) Sri Mrinmoy Baruah, Under Secretary of PW (B&NH) Deptt., (ii) Sri Partha Senapati, Computer Operator of PWD and (iii) Sri Nelson Varte, Asstt. Professor and SPIO of Assam Engineering College.
2. The second appeal petition dated 18.3.2019 is taken up for hearing in presence of both the parties.
3. From perusal of case records it is seen that the appellant Sri Abhinandan Kashyap submitted an RTI petition dated 2.2.2019 before the SPIO of Assam PWD asking for clear and specific reasons for cancellation of interview call letters for the post of Assistant Engineer (Civil) under under APSC Regulation 3(f) of 18 (eighteen) nos. of candidates in the nick of time. The Under Secretary, PWD submitted orally that the RTI petition which was transferred by PWD, CE (Bldg) – Planning Branch, was received in the department on 4.2.2019. Vide letter dated 12.2.2019, the Under Secretary, PWD again transferred the RTI petition to the Principal, Assam Engineering College, Jalukbari under Section 6(3) of the RTI Act, 2005.
4. It is seen from the records that the SPIO of AEC informed Sri Niren Deka, father of the appellant, vide letter dated 27.3.2019 giving the reasons for cancellation of the appellant's interview letter along with 17 others. The SPIO of AEC also submitted a written statement dated 1.7.2019 enclosing copy of letter dated 19.3.2019 addressed to the appellant Sri Abhinandan Kashyap giving reasons for cancellation of the interview call letters of 18 candidates including the appellant. The appellant's father who is present today stated that he has not received the letter dated 19.3.2019. The SPIO of AEC is directed to furnish a copy of the same to appellant's father today.
5. The SPIO of AEC stated in his WS that the transferred RTI petition was received by them on 22.2.2019 and that they have furnished the replies to the information seeker on 19.3.2019, i.e., within the stipulated period of 30 days.

6. However, it is seen that the SPIO,PWD made a delay of 3(three) days in transferring the RTI petition to the SPIO of AEC. By his own admission, he received the RTI petition on 4.2.2019 and within 5 days, i.e., latest by 9.2.2019 he was required to transfer the RTI petition to the public authority who holds the sought for informations. There was a delay of 3 days. The SPIO, PWD is directed to explain the reasons for this delay within 30 days from the date of this order which was pronounced in his presence. Further penal action under Section 20 of the RTI Act, 2005 may be considered after receipt of his written explanation.

7. The father of the appellant who was present in today's hearing submitted that by letter dated 19.3.2019 and 27.3.2019 he was informed that the call letters had to be cancelled because they were wrongly issued. The appellant submitted that he would like to see the original records to satisfy himself whether there was any malafide intention in cancelling the call letter of the appellant. The SPIO of AEC is, therefore, directed to allow the appellant to inspect the original records, including the note sheets regarding issuance of interview call letters, cancellation of call letters and the decision to cancel purportedly wrongly issued call letters within 30 days from the date of receipt of this order and also allow the petitioner/appellant to take notes or photo copies of such documents coming within the ambit of the RTI petition free of cost upto 25 pages photo copies and thereafter on payment of Rs.2/- for each additional pages of photo copy.

8. Fix 21.8.2019 at 1 P.M. for review of action taken.

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

Authenticated true copy.
Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)750/2019

Dated 02.07.2019

Copy to:

1. The SPIO of Assam Public Works Department, Dispur,Guwahati 6 for information. and necessary action.
2. The SPIO of Assam Engineering College, Jalukbari, Guwahati 13 for information and necessary action.
3. Sri Abhinandan Kashyap, Pub Sarania, Guwahti 781003.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar i/c
Assam Information Commission