



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

| | |
|------------------------|---|
| Case No. | KP(M)224/ 2018 |
| Complainant/ Appellant | Smti. Barasa Malakar |
| Respondent | : SPIO of Guwahati University, Institute of Science & Technology. |
| Date of hearing | 24.07.2019 |
| Complaint/ Second | : Shri H. S. Das, IAS (Retd) |
| Appeal heard by | Chief Information Commissioner, Assam |

O R D E R
24.07.2019

1. The appellant Smti. Barasa Malakar accompanied by Sri Pranab Jyoti Sarma is present. The public authority, i.e., Gauhati University (GU) is also present as represented by:- (i) Dr. Prasanta Barman, Deputy Registrar and PIO, (ii) Sri Nikhil Kr. Mahanta, Assistant Professor, Deptt. of Bio-Engineering & Technology, GUIST, GU and (iii) Sri Tridip Kalita, attached to the PIO. The second appeal petition dated 20.3.2018 is taken up for further hearing in pursuance of this Commission's earlier order dated 3.7.2019. As already noted in the previous order, the appellant had received all the required informations. The remaining issue now is to ascertain the cause of delay of nearly 2 years in furnishing the informations sought for by her vide RTI petition dated 7.7.2017 and fix responsibility if the delay is found to have been caused without any reasonable grounds.

2. The Deputy Registrar and PIO of GU has given a written statement dated 29.6.2019 stating that RTI petition dated 7.7.2017 was transferred to the concerned public authority, i.e., the Director of GUIST vide letter dated 14.7.2017. He produced the original records showing that the letter was received in the office of the Director, GUIST on 14.7.2017 itself. By that letter the Director, GUIST was requested to furnish the informations directly to the petitioner with a copy to the Dy. Registrar and PIO of GU. He further submitted orally today that as per their records the first appeal petition dated 14.10.2017 was not received in his office. From perusal of case records, it is seen that the petitioner Smti. Barasa Malakar addressed the first appeal petition to "the Appellate Authority, Gauhati University, GUIST, Guwahati-14, Assam". The name and/or official designation of the First Appellate Authority was not mentioned in her first appeal petition as is required under Section 19(1) of the RTI Act. The India Post authority also mentioned in their Track Consignment that the first appeal petition was delivered to appellate authority, without mentioning the name and designation of the person to whom it was delivered. Hence it could not be ascertained as to who received the first appeal petition from the postal authority on 23.10.2017.

3. From the deliberations so far it has been established that the RTI petition dated 7.7.2017 was received in the office of the Director of GUIST on 14.7.2017 and it was the responsibility of the office of the Director, GUIST to furnish the required informations to the petitioner within stipulated time. Similarly, it is also established from records of the postal authority that the first appeal petition was received by somebody in the GUIST of GU.

4. In the submissions made so far by the PIO of GU and the representative of GUIST, both orally and in writing, he could not be adduce any reasonable grounds for the delay of nearly two years in furnishing the information. The Registrar of GU is, therefore, directed to cause an inquiry into the cause of delay of nearly two years in furnishing the informations to the petitioner, and identify the person/s responsible for the delay. He is directed to complete the inquiry within 60 days from the date of receipt of this order and submit his findings to this Commission latest by 30th September, 2019. The Registrar is further directed to attach relevant documents and records in support of his findings along with the inquiry report..

5. Fix 1st October, 2019 at 12.30 P.M. for next hearing. Issue notices to the parties.

Sd/-

(H. S. Das)

Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.



Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)224/2018

Dated 24.07.2019

- Copy to:
1. The Registrar of Gauhati University, Guwahati 14 for information and necessary action.
 2. The PIO & Deputy Registrar, Gauhati University, Guwahati 14 for Information, necessary action and appearance on next date of hearing.
 3. The SPIO of the office of the Gauhati University, Institute of Science & Technology (GUIST), Guwahati 14 for information and appearance on next date of hearing.
 4. Smt. Barasa Malakar, IG Road, Santipur, P.O.Bharalumukh, Guwahati 9 for appearance on next date of hearing.
 5. Computer Section for uploading in the Website.
 6. Office File.
 7. Order Book.



Registrar i/c
Assam Information Commission