

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. : SIC/KP(M)368/2020
Complainant/ Appellant : Shri Rohit Nayan Baruah
Respondent : SPIO of the Office of Assam Science &
Technological University, Tetelia Road, Jalukbari,
Guwahati
Date of Hearing : 3-2-2021
Complaint/ Second : Dr. A.P.Rout, IPS(Retd)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
3-2-2021

1. The petitioner Shri Rohit Nayan Baruah is present.
2. The Public Authority to be represented by SPIO of the Office of ASTU is absent. However, the SPIO has deputed Shri Chandan Bhattacharya, Assistant Accountant along with one legal advisor to attend the hearing.
3. As per protocol of the Commission, only SPIO or Gazetted Officer is allowed to attend the hearing. Hence the Assistant Accountant was not allowed, instead his legal advisor Shri Hari Prasad Nepal was allowed.
4. Coming to the RTI petition of the appellant, 6 questions were asked by the petitioner out of which SPIO has already furnished reply to question no. 5.
5. The SPIO has mentioned that question no.1 to 4 are vague and legal advisor clarified that questions do not specify about selection committee as there are different selection committees for filling up different posts in the University.
6. Hence, the Commission accepts these and advises petitioner to apply afresh if he so desires.
7. As regard to question no.6, the SPIO mentioned that information relates to 3rd party and comes under exemption vide Section 8 of the RTI Act, 2005. But, as per Section 11 of RTI Act, SPIO should have written to 3rd party before taking the decision on the petition.
8. However, legal advisor representing ASTU apprise this Commission that information has been compiled and ready to be handed over to the petitioner.
9. In view of the above, **the SPIO of ASTU is directed to furnish the same within 7 days directly to the petitioner.**
10. The instant 2nd appeal petition dated 10/12/2020 is disposed off.

Sd/-
Dr. A.P.Rout

Authenticated true copy.

Sd/-
Joint Registrar i/c
Assam Information Commission

Memo No. SIC/KP(M)368/2020

Dated: 3-2-2021

Copy to:

1. The SPIO of the Office of Assam Science & Technological University, Tetelia Road, near Assam Engineering College, Jalukbari, Guwahati for information and necessary action as ordered above.
2. Shri Rohit Nayan Baruah, petitioner, House No.32, "Kalyan Jyoti" South Sarania, Ulubari, Guwahati for information.
3. Computer section for uploading in the website
4. Office File
5. Order Book

Joint Registrar i/c
Assam Information Commission