



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No. : SIC/KP (M).59 /2021
Complainant/ appellant : Sri Joydeb Das.
Respondent : SPIO, O/o the Gauhati University
Date of hearing : 15.02.2021
Complaint/ Second : Dr. A.P. Rout, IPS (Retd.)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R

15.02.2021

1. The petitioner Sri Joydeb Das is present. The public authority i.e. the SPIO of Gauhati University Dr. Prasanta Barman, Deputy Registrar is present. The PIO & Deputy Registrar of Gauhati University has submitted written statement dated 13.02.2021 which is entered into the case records.

2. On perusal of the case records, it is seen that the petitioner Sri Joydeb Das filed RTI petition dated 2.1.2021 before the PIO of Gauhati University seeking the following information:-

I. Whether the present HOD, MIL (Modern Indian Languages) and LS (Literary Studies) has been promoted from associated professor, if yes, please furnish the followings details:

(a) Furnish a copy of letter issued to experts of selection of professor promotion, along with a copy of letter received from experts.

(b) Furnish on which date of file processing was done for promotion of associate professor to professor of present HOD, MIL and LS, along with a copy of letter issued to interview experts and a copy of letter for final interview along with copy of details of file notings.

(c) Furnish on which date finalized promotion of associate professor present HOD, MIL and LS was placed before the EC meeting

(d) Furnish a copy of EC resolution on acceptance of promotion

(e) Furnish a copy of promotion order along with copy of file notings.

(f) Furnish a copy of joining charge report.

3. Then the PIO of Gauhati University furnished the sought for information to the petitioner vide letter NO. GU/PIO/RTI/2021/190 dated 21.01.2021

4. The petitioner *has mentioned that the SPIO has furnished sketchy information not to the point and it is confusing in nature* in the pointwise reply. The petitioner has commented point wise on his questions as follows:-

I. No information is given to him in respect of point No. 1(a) of the RTI petition dated 2.1.2021 and the PIO mentioned in his reply that information is not available which is unacceptable. Therefore, he prayed before the Commission to takes steps to furnish the information

II. Regarding Information in respect of point No. 1(b) of the RTI petition dated 2.1.2021, the PIO furnished copy of Selection Committee Report on interview for the post of Professor but information of file notings is not furnished.

III. Information in respect of point No 1 (c) of RTI petition is given

IV. Information in respect of point No. 1(d) is not given but the PIO of Gauhati University stated that the information is ready, so he can furnish the information to the petitioner

V. A part of the information has been received by him against point No. 1(e) of RTI petition and copy of file notings not given.

VI. Information in respect of point 1(f) is already furnished to him.

5. As regards to reply to point No. 1(a) that the reply is not available, the Commission likes to reproduce extract of WP(C) 900/2021 and CM Appeal 2395/2021 in Shri Rakesh Kr. Gupta (Erstwhile CPIO) Union Bank of India & Ors VS Central Information Commission & Anr:-

- (i) Government departments ought not to be permitted to evade disclosure of information. Diligence has to be exercised by the said departments, by conducting a thorough search and enquiry, before concluding that the information is not available or traceable;
- (ii) Every effort should be made to locate information, and the fear of disciplinary action would work as a deterrent against suppression of information for vested interests;
- (iii) PIO/SPIO cannot functioned merely as "post office" but instead are responsible to ensure that the information sought under the RTI Act is provided;

6. In light of the above, the Commission directs the PIO of Gauhati University to furnish specific information with the file notings as asked by the petitioner within 10 days.

7. The second appeal petition dated 6.2.2021 is conditionally disposed off.

Sd/-

(Dr. A.P. Rout)

Authenticated true copy.

Sd/-

Joint Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M).59/2021

Dtd. 15.2.2021

Copy to:

1. Dr. Prasanta Barman, Deputy Registrar & PIO of Gauhati University, Gopinath Bordoloi Nagar, Guwahati-14 for information and necessary action.
2. Sri Joydeb Das, S/o Late Karunamoy Das, H.No-16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Ghy-25, Assam for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Joint Registrar i/c
Assam Information Commission