

**Case No.** :SIC/KP(M) 353/2021  
**Complainant/ Appellant** :Joydeb Das  
**Respondent** :SPIO, O/o the Registrar, Gauhati University  
**Date of Hearing** :11/01/2022  
**Complaint/ Second** : Dr. A.P.Rout,  
**Appeal heard by** State Chief Information Commissioner, Assam

**O R D E R**  
**11/01/2022**

1. The petitioner Sri Joydeb Das is present. The petitioner has filed his RTI application before the PIO of Gauhati University on 5.10.2021 seeking the following information:  
(a) Please furnish a copy of EC resolution from January 2021 to till date (only enclosure furnish from September 2021 to till date.
2. In response to that, the SPIO of Gauhati University vide his letter dated 3.11.2021 has denied giving the information in taking the recourse to Delhi High Court *quote* In respect to the writ petition no. 7976/2020 (Har Kishan vs President Secretariat). In the said order, the Honorable Delhi High Court has mentioned that “whenever information is sought under the RTI Act, disclosure of an interest in the information sought would be necessary to established the bonafide of applicant. Non-disclosure of the same could result in injustice to several other affected person. *Unquote*.
3. The SPIO has also submitted a written statement dated 4.1.2022 stating the same as point no.2 supra.
4. The petitioner at the hearing argued as follows:
  - a. The order quoted by the SPIO relates to the order of Honorable Delhi High Court which has jurisdictional deformity in application to Assam.  
Further the same order stems from the fact that the petitioner lied before the authority that his daughter was not a candidate in the recruitment conducted by the President Secretariat.
  - b. In enclosing herewith the documents marked A, he mentioned that though Executive Council. is supposed to take fair and rule bound decisions, the resolution at the Executive Council are often changed at the subsequent Executive Council meeting without any justification.
  - c. The administrative decision taken by the Gauhati University is not based on the fair rules of transparency and ethics as, He cited the case where some items earmarked and notified for auction are withdrawn and allotted arbitrarily to an unregistered trust allegedly for CSR purpose. The petitioner enclosed documents at B in support of his claim.
  - d. He further mentioned that administration of Gauhati University is not student friendly in prompt evaluation of Ph.D. thesis and timely award to the Scholars. He enclosed the documents at C.
  - e. He further said that University has failed to follow the established rules and procedures in purchase of new vehicles as per his enclosure at D.
  - f. He enclosed copy of Asomiya Pratidin news dated 7.1.2022 stating the various irregularities at Gauhati University as pointed out by Audit party. (Enclosed at E)
  - g. He again enclosed a copy of Asomiya Pratidin news dated 16.12.2021(Enclosed at F) alleging the irregularity and failure in declaring the results on time.

- h. He also pointed out the irregularities at IDOL of Gauhati University by enclosing a copy of Asomiya Pratidin dated 30.12.2021 (Enclosed at G).
5. In enclosing the various documents and paper cuttings, the petitioner emphasized the procedural lapse, opacity in decision making and lack of total transparency in the various decisions of Gauhati University and the decisions at the Executive Council.
6. The inherent aim of the RTI Act,2005 is to bring the transparency in the system. As total public interest is involved in seeking the information, he wanted the information as per the petition, but the University has denied it and violated the provisions of RTI Act,2005 and also the Constitutional safeguards vide Article 19 of the Indian Constitution.

Therefore he prayed that the information be given to him immediately.

7. In response to the above arguments, the SPIO of Gauhati University said that the petitioner has unnecessarily brought various other issues into this particular RTI petition, as he was simply asked to clarify the public interest involved in seeking the information.

Had he intimated the public interest, the University could have taken the decision.

8. After going through the arguments and counter arguments as above and analyzing the provision of RTI Act,2005 on the issue of public interest as well as the order of Honorable Delhi High Court and its jurisdictional applicability in response to writ petition no. 7976/2020(Har Kishan Vs. President Secretariat), the Commission thinks it fit to order the SPIO to furnish the information within fifteen days.

Sd/-  
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).353/2021**

**Dtd. 11.1.2022**

Copy to:

1. The SPIO, Office of the Registrar, Gauhati University, Jalukbari, Guwahati 14 for information and necessary action.
2. The petitioner Sri Joydeb Das, S/O Lt. Karunamoy Das, H.No.16, Kushal Konwar Road, Near Mayur Krishna Cinema Hall, Ambari Fatashil, Guwahati 25 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Secretary & Registrar  
Assam Information Commission