

**OFFICE OF THE REGISTRAR GENERAL, GAUHATI HIGH COURT,  
MAHATMA GANDHI ROAD, PANBAZAR, GUWAHATI.**

**RTI APPEAL NO. – Appeal ID. No. 13/2019**

APPELLANT :- Sri Priya Pal Bikhhu,  
Bodhgaya, Bihar- 824231

RESPONDENT :- REGISTRAR (JUDICIAL) –Cum-PIO,  
GAUHATI HIGH COURT.

DATE OF APPEAL :- 04/12/2019

DATE OF HEARING :- 31/01/2020

DATE OF ORDER :- 31/01/2020

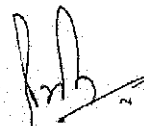
**Factual Background:-**

1. Being aggrieved by the response received from the Respondent in respect of his RTI application dated 09/09/2019, appellant- Sri Priya Pal Bikhhu, a resident of Maya Sarovor Area, P.O. Bodhgaya, Dist- Gaya, Bihar has preferred this appeal, which is docketed vide Regd. **ID No. 13/ 2019**.

2. The records reveal that appellant has filed an application before the Registrar (Judicial) –cum-PIO, Gauhati High Court, seeking below mentioned information related to the Gauhati High Court Legal Services Committee :

*“Respectfully to inform you that 3 (three) petitions, one petition dated, 31/07/2019 by the undersigned and 2 (two) other petitions, submitted by registered post, in the month of August, 2019, by the Chakma tribal villagers of Bhai Bunti Cherra, PO. & P.S. Ramnathpur, dist. Hailakandi, Assam, under the Legal Services Authority Act, for legal awareness, drafting, preparing legal petition and filing of appropriate petition. All the three said petitions were addressed to the hon’ble Chairman & Secretary, Gauhati High Court Legal Services Committee.*

**A :** *When did said petitions receive in the office of the Gauhati High Court Legal Services Committee ? what were its diary number ?*



**B** : *When did said petitions were place in file before hon'ble Chairman, Secretary or in the meeting of Gauhati High Court Legal Services Committee, for careful consideration of appropriate action regarding prayer for legal services requested in said petitions?*

**C** : *Supply clear photocopy of records of file noting, comments, notes given in the process of examining said petitions for appropriate action.*

**D** : *Were the petitions referred or transferred to any Legal Services Counsel-Cum-Consultant or senior counsel for appropriate action ? If yes, supply clear photocopy of the forwarding letters sent to the Legal Services Counsel-Cum-Consultant or senior counsel along with the said petitions.*

**E** : *Any opinion, response received in the office of your Committee (GHCLSC) from the Legal Services Counsel-cum-Consultant or senior counsel for appropriate action regarding the said petitions ? if yes, supply clear photocopy of the opinion, response received from the Legal aServices Counsel-cum-Consultant or senior counsel of your Committee (GHCLSC).*

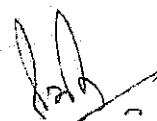
**F** : *supply clear photocopy of records of financial grants, letters of financial approval received since 2016 to 2018, from the Assam State Legal Services Authorities, , Ministry of Law and Justice, Govt. of India & the National Legal Services Authority, New Delhi.*

**G** : *Supply clear photocopy of records of minutes of meeting maintained in file and resolutions passed since 2010 to 2018, by the Gauhati High Court Legal Services Committee.*

3. Thereafter, the Id. PIO, vide his letter **No. HC.XXXV.01/2019/273/RTI** dated **16/10/2019**, replied to the applicant as under :

"Reply to query : No- A The petitions were received on 05/08/2019, 28/08/2019 and 30/8/2019. The diary number is 144/2019, 155/2019 and 158/2019.

Reply to query : No- B. The 2 (two) petitions for filing appropriate petition were placed before Secretary of Gauhati High Court Legal Services Committee on 8/8/2019 and 3/09/2019 for his opinion and the same applications were approved by the Hon'ble Chairman, Gauhati High Court Legal Services Committee on 21/8/2019 and 4/09/2019 and engaged legal aid counsel namely Ms. Minakshi Bujor Baruah, and Mr. Rajib Dev for legal assistance. Another 1



(one) petition for legal guidance and legal advice was placed before Secretary, Gauhati High Court Legal Services Committee on 30/8/2019 for his opinion and same was put before Hon'ble Chairman, Gauhati High Court Legal Services Committee for approval and the petition was forwarded to The Secretary, District Legal Services Authority, Hailakandi on 24/9/2019 for doing the needful.

Reply to query : No- C. For the copies of documents required by you, you are to pay cost of Rs. 50/- (Rupees Fifty) only (i.e. @ Rs. 5/- per sheet x 10 pages), by Pay Order / DD, in favour of 'Registrar General, Gauhati High Court', payable at Guwahati, as per provision of Section 7(3) of the RTI Act, 2005 and Rule 9(i)(A)(iv) of the Gauhati High Court (RTI) Rules, 2008, so as to enable us to send the said documents.

Reply to query : No- D. The above petitions were not transferred to any Sr. legal aid counsel for appropriate action. Till date, there is no senior counsel empanelled in the panel of Gauhati High Court Legal Services Committee. In 2 (two) of the said 3 (three) petitions Legal Aid Counsel was engaged and information letter was send to the petitioner on 26/08/2019 and 6/09/2019 by post. Both the petitioners are requested to contact the Legal Aid Counsel on the Contact number given in the letter for availing their legal assistance. Another 1 (one) petition was forwarded to The Secretary, District Legal Services Authority for doing the needful and same copy was also send to the petitioner for information and he is requested to approach the Secretary, District Legal Services Authority, Hailakandi.

Reply to query : No- E. The matter discussed with the legal aid counsels of the Gauhati High Court Legal Services Committee, in this regard Ms. Minakshi Bujor Baruah, Legal Aid Counsel informed the GHCLSC that Priya Pal Bhikkhu haven't contacted her for availing the legal assistance and Mr. Rajib Dev, Legal Aid Counsel informed that Binay Chakma contacted him and he asked Binay Chakma to give him 3 to 4 days to examine the case.

Reply to query : No- F. Regarding copies of records related to financial grants etc, these are old records and bulky in nature. You may inspect these records in the office of Gauhati High Court Legal Services Committee with prior intimation to the Secretary GHCLSC.

Reply to query : No- G. Photocopy of records of minutes maintained in file



and resolutions passed since 2010 to 2018, in the meeting of the Gauhati High Court Legal Services Committee which records are also voluminous. You may inspect these records in the office of Gauhati High Court Legal Services Committee with prior intimation to the Secretary GHCLSC. "

4. Being dissatisfied with the reply sent by the Id. PIO in respect of query Nos. F and G , the applicant has filed the present appeal with following prayers :-

***" the undersigned is interested to pursue further the first appeal, dated 20/11/2019, under the RTI Act, 2005, as the PIO & Registrar (Judicial), Gauhati High Court, Guwahati didn't supply correct or any information in connection to query No. F and G placed serially in my RTI petition, dated 9/9/2019."***

**Submission:-**

The appellant has sent a letter dated 21/01/2020 and also an e-mail dated 31/01/2020 with the information that he would not present in person during the time of hearing due to some difficulties and requested this authority to allow the petitioner to be represented through said letter and e-mail. Further, the petitioner also submitted that the PIO should be instructed to supply the information as requested in his RTI application.

**Decision and reasons thereof:-**

Seen the RTI appeal. Also seen the letter as well as e-mail submitted by the RTI applicant by which it has been informed that the applicant is not in a position to appear before the appellate authority today, since he belongs to a poor community from a far away place from Assam and as such not in a financial condition to bear the expenses for travelling and accommodation etc.

I have duly considered the application and allow the petitioner to be represented through his petition as prayed.

I have heard the opposite party and also perused the records including the RTI replies made to the applicant. I have carefully gone through the appeal record as well as other relevant records.

It is found that in replies the applicant was asked to inspect the documents as referred since the same is voluminous. On due consideration of the materials put before this appellate authority and after going through the same, this authority is of the considered view that the volume of documents as sought in both query No. (F) and (G) of the RTI

application, pertains to a period starting from 2010 to 2018 and as such the same is voluminous. Besides, the applicant has also not specifically mentioned as to exactly which documents amongst the volume are required. Hence, the appellant may examine the documents as replied by the respondent PIO / opposite party, as already communicated to the appellant. Therefore this appellate authority does not find any illegality or infirmity to intervene. Accordingly, the appeal stands dismissed.

Let this order be communicated to the appellant as well as the PIO, Gauhati High Court.

Handwritten signature and date: 31/1/2020

**Registrar General -cum- Appellate Authority**