Relevant Facts emerging from the Appeal:

Appellant : Dr. Tariq Islam  
Department of Philosophy  
Aligarh Muslim University  
Aligarh – 202002, UP

Respondent : Mohd. Muqim  
The then PIO & Chairman  
Department of Philosophy  
Aligarh Muslim University, MHRD  
Aligarh, Uttar Pradesh

RTI application filed on : 09/12/2009  
PIO replied : 07/01/2010  
First appeal filed on : 11/01/2010  
First Appellate Authority order : 09/02/2010  
Second Appeal received on : 08/03/2010  
Notice of Hearing sent on : 27/12/2010  
Hearing held on : 29/01/2011

Information Sought
About the mail dated 4/12/2009 by Mr. Muqim
1. Date on which permission to post the mail was obtained  
2. Reasons for posting the mail without permission  
3. Date on which permission was sought by from Ms. Roshan Ara  
4. Date on which permission was sought from registrar  
5. Reasons for not mentioning the Supreme Court judgment in the case of Tariq Islam.  
6. Dispatch number and date on which the letter of Mr. Peter Fisher was received  
7. Copy of rules of university mentioning the particulars of marksheet  
8. Reasons for bringing chairman matters to public  
9. Date on which permission sought from deputy registrar  
10. Correspondence showing commencement of contact with Mr. Peter Fisher.

Reply of the PIO
The permission of no one is required as the CPIO is himself is the chairman and can make the documents public on his own will except the information which have been mentioned in the RTI act and is protected by Secrets Act. The information for point 7 can be taken by depositing Rs. 2 and the point 10 is to given by the registrar.

First Appeal:
No information provided by the PIO in 30 days.

Order of the FAA:
The information provided by the PIO is as per records, the appeal is disposed off..

Ground of the Second Appeal:
The Appellant is aggrieved with the information supplied by the PIO. He believes the same is incomplete and incorrect
Relevant Facts emerging during Hearing:
The following were present:
Appellant : Dr. Tariq Islam;
Respondent : Mohd. Muqim the then PIO & Chairman;

The PIO has given his own interpretations and clarification with respect to queries 01 to 09 whereas he admits that there is no reasons on the records. The Respondent states that he sought the assistance of AMU Registrar Prof. V. K. Jaleel to provide the informant with respect to query-10. He states that he has not been given the information by Professor Jaleel.

Decision:
The Appeal is allowed.

The Commission directs Deemed PIO Professor Jaleel to provide the information on query-10 to the appellant before 15 February 2011.

The issue before the Commission is of not supplying the complete, required information by the deemed PIO Registrar Prof. V. K. Jaleel within 30 days as required by the law.

From the facts before the Commission it appears that the deemed PIO is guilty of not furnishing information within the time specified under sub-section (1) of Section 7 by not replying within 30 days, as per the requirement of the RTI Act. It appears that the PIO’s actions attract the penal provisions of Section 20 (1). A show cause notice is being issued to him, and he is directed give his reasons to the Commission to show cause why penalty should not be levied on him.

Registrar Prof. V. K. Jaleel Deemed PIO will present himself before the Commission at the above address on **14 March 2011 at 12.00pm** along with his written submissions showing cause why penalty should not be imposed on him as mandated under Section 20 (1). **He will also bring the information sent to the appellant as per this decision and submit speed post receipt as proof of having sent the information to the appellant.**

*If there are other persons responsible for the delay in providing the information to the Appellant the PIO is directed to inform such persons of the show cause hearing and direct them to appear before the Commission with him.*

This decision is announced in open chamber.
Notice of this decision be given free of cost to the parties.
Any information in compliance with this Order will be provided free of cost as per Section 7(6) of RTI Act.

Shailesh Gandhi
Information Commissioner
29 January 2011

(In any correspondence on this decision, mention the complete decision number.) (AM)

CC:

To,

Registrar Prof. V. K. Jaleel Deemed PIO through Mohd. Muqim the then PIO & Chairman;