

# OFFICE OF THE REGISTRAR GENERAL

MAHATMA GANDHI ROAD, PANBAZAR, GUWAHATI  
[APPELLATE AUTHORITY]

## RTI Appeal ID No. 03/2024-25

Dilip Kr. Devsarma,  
Industrial Tribunal, 3<sup>rd</sup> Floor,  
D.C. Office Building, Hengrabari,  
Guwahati-781036

---- Appellant.

- VERSUS -

Sri S. K. Dhar,  
Registrar (Judicial)-cum- PIO,  
Gauhati High Court, Guwahati.

---- Respondent.

**P R E S E N T**

Sri Sunil Kumar Poddar, AJS.  
Registrar General-cum-Appellate Authority under RTI Act.

Date of appeal : 8<sup>th</sup> July, 2024.  
Date of hearing : 24<sup>th</sup> July, 2024.  
Date of order : 30<sup>th</sup> July, 2024.

**:: ORDER ::**

1. This is an appeal under section 19 (1) of Right to Information Act, 2005
2. Being aggrieved by the alleged non-furnishing of miscellaneous documents, particularly the agenda notes and minutes of the meeting with resolutions regarding the equalization of pay of the Registrars of Labour Courts and Industrial Tribunals with that of the Sheristadars of District & Sessions Judges, the appellant has preferred the instant appeal under Section 19(1) of the Right to Information Act, 2005, with a prayer to direct the PIO to furnish the copy sought for information.


  
30.07.2024

3. The original prayer made by the appellant was as follows:-  
***The minutes, decision of the meeting along with the approval of the Hon'ble Chief Justice regarding the matter of High Court letter No. HC. VII-174/2011/9392/A dated 19th October, 2012. The subject matter of the said letter is the equalization of pay scale of Registrars of Labour Courts and Industrial Tribunals with that of the Sheristadars of District & Sessions Judges Establishment.***
4. In response, the PIO, vide his letter dated 27.06.2024, has provided the following information:  
***On verification by this Registry, it is found that there is no mention of the aforesaid matter either in any of the Hon'ble Administrative Committee meetings or in any of the Hon'ble Full Court meetings held during the particular time period i.e. from 30.07.2012 to 19.10.2012 as mentioned in the letter vide no. HC.VII-174/2011/9392/A or in any other meetings held prior to 30.07.2012. Hence, the sought-for information cannot be furnished.***
5. In the present appeal, the appellant did not take any specific grounds except reiterating his request to furnish the information by providing the file number of the High Court.
6. On receipt of the appeal, a date was fixed for hearing, and parties were present on the date fixed and were heard accordingly.
7. During the hearing, the appellant reiterated his prayer that as he has furnished one file number containing the letter issued by the then Registrar General to L.R. & Secretary to the Govt. of Assam, on the matter of the equalization of pay scale of the Registrars of Labour Courts and Industrial Tribunals with that of the Sheristadars of District & Sessions Judges Establishment vide letter dated 19.10.2012, it should not have been difficult for the PIO to search for the file, collect the information, and furnish it under the RTI Act. The PIO has submitted that initially the concerned branch could not trace out the file but subsequently, from the guard file, a copy of the resolution adopted in the meeting on 05.10.2012 could be traced out relating to the resolution adopted by the Hon'ble Committee of the High Court, and as such, if directed, he can furnish a copy of the said resolution to the appellant.
8. I have considered the submissions made by both sides. I have also gone through the copy of the resolution by which the Hon'ble Committee of the Gauhati High Court (for consideration of Shetty Commission's recommendations on the revision of Pay Scale etc. of the Subordinate Courts Staff of Assam) has dealt with the matter of equalization of pay scale of Registrars of Labour Courts and Industrial Tribunals with that of the Sheristadars of District & Sessions Judges Establishment, and based on the above resolution, the then Registrar General, Gauhati High Court vide letter no. HC.VII-174/2011/9392/A dated 19.10.2012 has written a letter requesting the Govt. of Assam to consider the matter of pay of Registrars of Labour Courts and Industrial Tribunals with that of the Sheristadars of District & Sessions Judges Establishment. As the copy of the resolution of the Hon'ble

  
30.17.2024

Gauhati High Court is available in the guard file, there is no bar in providing a copy of the same which contains the minutes of the meeting under agenda no.5.

9. Furnishing of the minutes of the meeting dated 05.10.2012 is not barred under Section 8 of the RTI Act or under any other provision. As the aforesaid document is available, the appellant is entitled to the same.
10. In view of the above, the appeal is allowed. The PIO is directed to furnish the information sought in the RTI application within the next 7 days from the date of receipt of a copy of this order.
11. Furnish a free copy of this order to the appellant and the learned PIO.

 30.07.2024

[Sri Sunil Kumar Poddar]  
Registrar General-cum-Appellate Authority  
under RTI Act,  
Gauhati High Court, Guwahati.