



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. **JRT13/2014**

Complainant/ appellant **: Sri Arun Ch. Das**

Respondent **: Managing Director, ASTC.**

Date of hearing **: 09-02-2016**

Complaint/ Second appeal heard by **: Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri Arun Ch. Das is present. The public authority is represented by (1) Sri Amalendu Ghose, SPIO and Chief Engineer (A&T), ASTC and (2) Sri Nirmal Ch. Kakoti, Law and Claims Officer, ASTC.

The complaint petition dated 1-10-2013 followed by reminders dated 24-3-2014 is taken up for hearing in presence of both the parties in pursuance to this Commission's order dated 8-1-2016.

From perusal of the case records, it is seen that Sri Arun Ch. Das, Joint Secretary of the Retired of the Transport Workers Association filed an RTI petition dated 21-7-2013 before the Managing Director of Assam State Transport Corporation seeking information on the retired employees and number of employees who died during their service period from 1st January 1977 to 31st March, 2013. The petitioner also wanted information on the number of employees who were given VRS during the period 2001, 2003 and 2010.

Getting no response from the ASTC after a reminder dated 9-9-2013 the petitioner filed a complaint petition before this Commission which was received on 1-10-2013. This Commission explained to the petitioner that if he is still interested in getting the information he has to file an appeal under Section 19 of the RTI Act, as per orders of Hon'ble Supreme Court.

Furnishing of information is not possible against a complaint petition although this Commission can inquire into the cause of delay, non furnishing of information and other related matters, and take appropriate action. The Commission also explained to the petitioner that under the RTI Act, 2005, information can be sought for a period up to 20 years prior to the filing of RTI application. Although this Commission is of the view that there is no bar on furnishing of information even beyond 20 years, if the same is available and if the public authority is willing to furnish the same.

Thereafter the petitioner submitted in writing that they are interested in getting the information sought for. Therefore, his complaint petition dated 1-10-2013 is converted into an appeal petition and is taken up for hearing accordingly.

The SPIO of ASTC orally deposed that they have compiled the information from 1977 onwards as available with them and has brought a copy of the same for furnishing to the petitioner.

This Commission, therefore, directs the SPIO of ASTC to hand over a copy of the information compiled and brought by him to the petitioner. The same was received by the petitioner in presence of this Commission.

In view of the above, the second appeal petition is disposed of.

**Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati**

Authenticated true copy.
Sd/-

Secretary & Registrar
Assam State Information Commission

Memo No. **JRT 13 /2014 / -A**

Dtd. 9-2-2016

Copy to:

1. Sri Amalendu Ghose, SPIO and Chief Engineer (A&T), ASTC for information & necessary action.
2. Sri Arun Ch. Das , General Secretary (Joint), Retired Transport Corporation Workers' Association , Upper Assam Zone, Head Office, Jorhat for information.
3. Computer Section for uploading in the Website
4. Office File.

Secretary & Registrar
Assam State Information Commission