



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

Case No. : **KP(M)165/2014**

Complainant/ appellant : **Sri Gautam Ch. Dey**

Respondent : **S.A(E) Department, Vehicle Cell**

Date of hearing : **13-06-2016**

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

O R D E R

The petitioner Sri Gautam Ch. Dey is absent, but he has authorized one Sri Palash Moni Talukdar to appear on his behalf. His prayer is accepted. The public authority is represented by :- (1) Smti Neera Gogoi Sonowal, Additional Secretary, SAD, and (2) Sri Nityananda Boro, Under Secretary, SAD.

The second appeal petition dated 11-2-2014 is taken up for hearing in presence of both the parties.

The First Appellate Authority of SAD has filed a joint written submission dated 13-6-2016, which is entered into the case records.

From perusal of the case records it is seen that the petitioner Sri Gautam Ch. Dey vide his RTI petition dated 23-10-2013 before the SPIO of Secretariat Administration Department, Govt. of Assam, sought information on allotment of vehicles against different officers, number of vehicles, names of Drivers and list of accessories received by the vehicle In-charge of SAD at the time of return of the vehicles by the concerned officers - from March, 2008 till the date of his RTI petition, i.e., 23-10-2013.

It is seen from the case records that vide SAD's letter dated 25th November, 2013, addressed to the petitioner, the sought for information was denied to him, citing exemption from disclosure under Section 8 (l) (j), i.e., on the ground of privacy in that the sought for information relates to personal information relating to the Officers and the Drivers.

This Commission does not agree with the argument contained in of the above mentioned letter dated 25th November, 2013 of SAD, Govt. of Assam. The officers as well as the Drivers are public servants and the vehicles provided by SAD to the officers are also Govt. vehicles used for discharge of their public duties. Therefore, the information sought for by the petitioner is admissible under the RTI Act and cannot be denied on the ground of privacy involving personal information.

However, this Commission also observes that the information sought for by the petitioner involves a period of nearly 5 ½ years and compilation of the same from past records may lead to disproportionate diversion of the resources of the concerned public authority.

This Commission, therefore, directs the SPIO of SAD, Govt. of Assam to allow the petitioner or his authorized representative to inspect the relevant documents, and take notes and photo copies free of cost up to 20 pages and thereafter against payment of Rs. 2/- for every additional page of photo copy.

With the above order, the second appeal petition dated 11-2-2014 is disposed of.

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

Authenticated true copy.
Sd/-
Registrar
Assam Information Commission

Memo No.SIC/KP(M) 165/2014/18-A

Dtd. 13-6-2016

Copy to:

1. Sri Smti Neera Gogoi Sonowal, Additional Secretary, SAD, Govt. of Assam, for information and necessary action, as above.
2. Sri. Gautam Ch. Dey, Sonaighuli, Near Don Bosco School, House No. 110 (B), P.O Sawkuchi, Survey, Dakhin Gaon, Guwahati for information..
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission