



RIGHT TO
INFORMATION



OFFICE OF THE

ASSAM STATE INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : KP(M)217/2016
Complainant/ Appellant : Sri Utpal Das
Respondent : Commissioner of Transport, Assam
Date of Hearing : 12-1-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R

The petitioner Sri Utpal Das is absent at the time of hearing which was held at 12.40 P.M today. The public authority is represented by :- (1) Sri Amalendu Ghosh, SPIO cum Chief Engineer (A&T), Assam State Transport Corporation, Guwahati, and (2) Sri Dibakar Kingkar Das, ASPIO-cum- Asstt. Statistical Officer, ASTC, Guwahati.

Since there was no prayer from the petitioner for adjournment of today's hearing, the matter is taken up for consideration and hearing ex-parte in the absence of the petitioner.

The SPIO of ASTC submitted a written statement dated 11-1-2017 explaining the reasons for delay in furnishing the information, which is entered into the case records.

From perusal of the case records, it is seen that the petitioner filed an RTI petition dated 12-5-2014 before the SPIO of Transport Department, Govt. of Assam, followed by first appeal petition dated 12-6-2014 and second appeal petition dated 10-11-2014 which was re-submitted after necessary corrections on instruction from this Commission. It also appears from the case records that the RTI petition was transferred by Deputy Secretary, Transport Department, Govt. of Assam to the Managing Director, ASTC, vide letter dated 20th May, 2014.

From perusal of the original RTI petition dated 12-5-2014 it is seen that point No. 1, 2, 3 & 4 only relates to ASTC. All the 4 informations sought for by the petitioner appears to be admissible under the RTI Act, 2005. This Commission, therefore, directs the SPIO of ASTC to furnish the sought for informations on all the four points to the petitioner within 15 days from the date of receipt of this order. The petitioner will be at liberty to approach this Commission again, if he is not satisfied after receipt of the information from the SPIO of ASTC as ordered above. The petitioner is also directed to inform the SPIO of ASTC the correct address within seven days from receipt of this order, because the SPIO submitted that the petitioner has meanwhile changed his address and the present address is different from the address mentioned earlier.

Further, point Nos. 5, 6 & 7 of the RTI petition do not appear to relate to ASTC. Moreover, there is nothing in the case records to show that the SPIO of Transport Department transferred these three points numbered 5, 6 & 7 in the RTI petition, which relate to use of helmets, ferries and travel agencies respectively – to the concerned

public authorities. The SPIO of Transport Department is directed to transfer these three points to the appropriate public authorities within 5 days from the date of receipt of this order under Section 6(3) of the RTI Act, 2005.

With the above order the second appeal petition dated 10-11-2014 is disposed of.

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

Authenticated true copy

**Sd/-
Registrar
Assam Information Commission**

**Memo No SIC/ KP(M) 217 /2016 / 18-A
Copy to:.**

Dated 12-1-2016

- 1) Sri Amalendu Ghosh, SPIO cum Chief Engineer (A&T), Assam State Transport Corporation, Guwahati for information and necessary action as ordered above.
- 2) Sri Utpal Das , (President) Forum of Conscious Citizen, Chatribari, Old Fire Brigade Lane, House No- 57, Guwahati-8 for information.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar
Assam Information Commission.**