



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

Case No. : KP(M).81/2016
Complainant/ Appellant : Md. Bitu Zaman
Respondent : District Transport Officer, Sivasagar dist., Assam
Date of hearing : 06.02.2017
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

06.02.17

The petitioner Md. Bitu Zaman is present. The public authority is represented by Shri Deep Jyoti Neog, DTO incharge of the Sivasagar District accompanied by Shri Ranjit Singh, Motor Vehicle Inspector and Smti. Sudakshina Khanikar, advocate. The second appeal petition dated 23.7.14 is taken up for hearing in presence of both the parties.

The respondent Shri Deep Jyoti Neog, DTO incharge has submitted a prayer dated 6.2.17 praying for three months' time to respond to the RTI petition dated 17.1.14.

From perusal of DTO's case records it is seen that the petitioner vide his RTI petition dated 17.1.14 sought for several informations, some of which are in the nature of opinions or questions, answers to which cannot be deemed to be informations u/s 2(f) of the RTI Act, 2005. It is also seen from the case records that the District Transport Officer, Sivasagar had already furnished some informations to the petitioner vide letter dated 10.2.14. This commission, therefore, advised the petitioner to list the remaining admissible informations for consideration of this Commission. Accordingly he furnished a list of three informations which are entered into the case records. They are:- (1) The number of three wheeler vehicles with up-to-date road permit with vehicle registration number (route-wise) after physical verification, (2) copies of fitness certificates of three wheeler vehicles of all routes, and (3) the number of cases detected from 01.01.2012 till 31.12.2013 (defaulter vehicles).

This Commission directs the DTO incharge, Sivasagar District to furnish the informations sought for as at 1 & 3 above to the petitioner. As regards point no. 2 above regarding copies of fitness certificates, this Commission notes that the number of such fitness certificates will run into thousands and it will disproportionately divert the resources of the DTO's office in terms of manpower and material. The DTO incharge is therefore, directed to furnish the number of three wheeler vehicles authorised to ply in different designated routes in Sivasagar district dividing into four categories depending on their age, i.e. 0-5 years, 5-10 years, 10-15 years and 15-20 years. In view of the financial year ending and other preoccupations like ensuing Assam Sahitya Sabha, etc, time as prayed for by the DTO incharge vide his written submission dated 6.2.17 is

granted and he is directed to furnish all the three sets of information as ordered above within 30th April, 2017 to the petitioner.

With the above order, the second appeal petition dated 23.7.14 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).81/2016/32-A

Dtd. 06.02.2017

Copy to:

1. The District Transport Officer incharge, Sivasagar District, Assam for information and necessary action.
2. Md. Bitu Zaman, Advocate, Gauhati High Court, C/o- P.U. Ahmed, 28, Islampur Road, Silpukhuri, Guwahati-3 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission