

**OFFICE OF THE
ASSAM INFORMATION COMMISSION****JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : **KP(M) 503/2017**
Complainant/ Appellant : **Sri Nitumani Choudhury**
Respondent : **Secretary, State Transport Authority**
Date of Hearing : **11-9-2017**
Complaint/ Second : **Shri H. S. Das, IAS (Retd)**
appeal heard by : **State Chief Information Commissioner, Assam**

O R D E R
11-9-2017

1. The appellant/petitioner Sri Nitumani Choudhury is present. The public authority is represented by :- (1) Sri D. Chakravarty, SPIO and Asstt. Commissioner of Transport of the office of Commissioner, State Transport, Assam, (2) Sri S. Ahmed , ASPIO and Superintendent, Commissioner of Transport, and (3) Sri Satyendra Talukdar, Sr. Assistant of the same office.
2. The second appeal petition dated 4-7-2017 is taken up for hearing in presence of both the parties.
3. The petitioner Sri Nitumani Choudhury stated that he has since received the information sought for by him vide his RTI petition dated 14-4-2017 as communicated by the SPIO and Assistant Commissioner, Transport, Assam vide their letter No. CT.RTI/242/2017/1806 dated 30th August, 2017 to his satisfaction.
4. However, he complained that the information was furnished to him much after the time limit of 30 days, as prescribed in the RTI Act. Therefore, he prayed for suitable penal action as the Commission may deem fit and proper.
5. It is observed that the information sought for is a simple one, which was provided only after receipt of notice dated 22-8-2017 from this Commission. Apparently, the concerned officer and assistant of the office of the Commissioner of Transport, Assam was not serious to comply with their statutory requirement to furnish the information within 30 (thirty) days from the date of receipt of the RTI petition.
6. The SPIO of the office of Commissioner, Transport is directed to submit an affidavit within 15 (fifteen) days from the date of this order which was pronounced in his presence, as to why penalty under Section 20 of the RTI Act, 2005 shall not be imposed on him for causing inordinate delay in furnishing the information. The affidavit should clearly bring out the actions taken by different assistants and officers on the RTI application from the date of its receipt in his office till furnishing of the information.

7. Commissioner of Transport is also directed to ensure that his office attends to RTI applications promptly within the time frame prescribed in the RTI Act, 2005 and avoids delay and resultant harassment to the information seekers. He is directed to issue appropriate instructions for compliance by his office, with a copy to the Registry of this Commission.

8. Fix 3-10-2017, 12.00 Noon with a direction to the SPIO for his personal appearance.

Sd/-

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Sd/-
Registrar
Assam Information Commission

Memo No SIC/ KP(M).503 /2017

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Dated 11-9-2017

Copy to:-

- 1) Commissioner of Transport , Assam State Transport Authority, Khanapara, Guwahati-22 for information and necessary action as ordered above.
- 2) Sri D. Chakravarty, SPIO and Asstt. Commissioner of Transport of the office of Commissioner, State Transport, Assam for information and necessary action as ordered above.
- 3) Sri Nitumani Choudhury, K.B.Banerjee Road, Paltanbazar, Guwahati-781 008 for information.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

Registrar
Assam Information Commission.