



**OFFICE OF THE
ASSAM INFORMATIONS COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No : KP(R).435/2019
Complainant/ Appellant : Md. Ataur Rahman
Respondent : SPIO of the Assam State Transport Corporation.
Date of hearing : 12.6.2019
Complaint/ Second : Shri H.S. Das. IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

12.6.2019

1. The petitioner Md. Ataur Rahman is present. The public authority, i.e., Transport Department, Govt. of Assam and the Assam State Transport Corporation are represented by: - (1) Salamuddin Ahmed, Joint Secretary and SPIO of Transport Department, (2) Balin Das, Chief Engineer (A&T) & SPIO of ASTC, (3) Mayuri Kalita, Law & Claims Officer, ASTC, (4) Ranjit Kr. Lahan, Chief Personnel Officer i/c, ASTC and (5) Muktinath Ray, Sr. AA of Transport Department.
2. The second appeal petition dated 24.12.2018 is taken up for hearing in presence of both the parties. The petitioner Md. Ataur Rahman submitted a written statement dated 12.6.2019 iterating his right to the sought for informations. His WS is entered into the case records.
3. From perusal of the RTI petition dated 20.9.2018 it appears that the petitioner was an applicant for the post of Assistant Station Superintendent under the Assam State Transport Corporation in the year 1984. By his RTI petition he sought copies of the final selection list for appointment to the post of Assistant Station Superintendent under ASTC in 1984 which was purportedly approved by the then Hon'ble Transport Minister of Assam, along with the copy of the "minutes", - particulars of which was not specified. When asked by this Commission, the petitioner clarified that by minutes he meant the minutes of the relevant selection committee. It is seen from the enclosures attached by the petitioner himself with his second appeal petition that the Chief Engineer (A&T) and SPIO of ASTC vide letter dated 30.10.2018 had already informed the petitioner that the selection list as available in office was already furnished to him vide letter dated 3.6.2008. It is also mentioned in the letter that no other minutes for appointment to the post of Assistant Station Superintendent under ASTC in 1984 is available in the office of the ASTC.
4. The Joint Secretary and SPIO of Transport Department, Govt. of Assam has submitted a WS dated 6.6.2019 which is entered into the case records. The Chief Engineer (A&T) and SPIO of ASTC has also submitted a separate WS dated 12.6.2019 which is also entered into the case records. The SPIO of ASTC has enclosed with this WS a copy of order dated 2.2.2009 passed by the then State Information Commissioner Dr. B.K Gohain in complaint case number KP(M)105/2008(old) and KP(M).52/2008 (New). It is seen from the order that the same matter was already heard by the SIC Dr.

B.K. Gohain and the petitioner's complaint petition was disposed of and the matter was closed with an observation that the petitioner Md. Ataur Rahman had already inspected all the available records in the office of the ASTC and had confirmed it in writing.

5. As already noted the informations sought for relates to the year 1984, i.e. 34 years prior to the date of the RTI petition, which is 20.09.2018. As per Assam Record Manual only permanent records are kept/maintained without any time limit. All other records are required to be maintained for finite time periods. The SPIO of ASTC is, therefore, directed to examine/ascertain and inform the petitioner, within 30 days from the date of receipt of this order about time period for which the sought for informations are required to be maintained as per their own record maintenance protocol or as per provisions of the Assam Record Manual in the absence of ASTC's own record maintenance protocol.

6. In view of the informations already furnished vide letter dated 30.10.2018 by the SPIO of ASTC to the petitioner as referred to above and the earlier order dated 2.2.2009 of SIC Dr. B.K.Gohain as referred at para 4 as well as order at para 5 above, there seems to be no further cause of action on the instant second appeal petition. This Commission would not like to waste any further time on such repetitive second appeal petitions on a matter which had already been disposed of and closed. Hence, the second appeal petition dated 24.12.2018 is disposed of.

Sd/-

(H. S. Das)

Chief Information Commissioners, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar i/c
Assam Information Commission

Memo No. SIC/KP(R).435/2018

Dated. 12.6.2019

Copy to:

1. The SPIO of the office of the Transport Department, Janata Bhawan, Guwahati-06 for information.
2. The SPIO of the office of the Managing Director, Assam State Transport Corporation, Paltan Bazar, Assam for information and necessary action.
3. The Petitioner, Md. Ataur Rahman, S/O- Lt. Harmuz Ali, Vill- Adhiar Para, P.O- Saniadi, P.S- Hajo, Dist- Kamrup(R) Pin-781102 for information.
4. Computer Section for uploading in the Website.
5. Office File
6. Order Book

Registrar i/c

Assam Information commission