

OFFICE OF THE

ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : SIC/KP(M)1011/2019
Complainant/ Appellant : Sri Kritikamal Bora
Respondent : SPIO of the Office of District Transport Officer, Jorhat
Date of Hearing : 3-10-2020
Complaint/ Second : Dr. A.P.Rout, IPS(Retd)
Appeal heard by : State Chief Information Commissioner, Assam

O R D E R
3-10-2020

1. The petitioner Sri Kritikamal Bora is present.
2. The Public Authority is represented by Sri Mantu Kumar Das, SPIO of office of D.T.O Jorhat.
3. The petitioner has some similar petition before the Commission asking similar information relating to many MVIs and Enforcement Inspectors, he has been intimated by the SPIO that the information relating to his RTI petition is not available with the dept.. Being dissatisfied with the reply the petitioner has filed 2nd appeal before the Commission.
4. The SPIO has submitted a written statement dated 3.10.2020 which is taken into records. In the W.S, The SPIO of the Office of DTO Jorhat has specifically mentioned that the advertisement relating to recruitment is done by Assam Public Service Commission and hence those documents are not available with the Dept. Similarly the documents submitted by other candidates for the post of MVIs are also not available with them. The Police Verification Report is also not available with them. Marks obtained by the MVIs at the APSC are also not available with them.
5. On perusal of the RTI petition and the reply submitted by the SPIO, the Commission observes that the petitioner knows full well that the selection of MVI was conducted by the APSC and the information sought in the RTI petition relates to the Commission not to the SPIO of the Office of the DTO.
6. It seems that the RTI petition itself relates to impractical/unrelated information by the appellant. The Supreme Court in Central Board of Secondary Education and another ANR vs Aditya Bandhopadhyay, Anr STPL (Web) of 685, held that in these impracticable documents or direction under RTI Act for disclosure of all Sundry information on relating to transparency accountability in functioning of public authorities and eradication of corruption could be counterproductive.
7. Rajasthan High Court in Hardev Arya V. Chief Manager (PIO) and others (AIR 2013 Raj.97) has held, at the RTI law is vital weapon in the hands of the citizen. But at the same time it cannot be allowed to be misused.
8. The Commission feels that by putting on irrelevant questions and even after getting proper reply to that from the SPIO, the appellant is not acting responsibly and wasting time of the Commission and has also becoming a road block in disposing more important and urgent cases.
9. As regard to point no. 5 & 6 of the appeal petition, a copy of W.S of SPIO dated 28.9.2020 be given to the petitioner.
10. In view of the above the instant 2nd appeal petition dated 26.8.2019 is disposed off.

Sd/-
Dr. A.P.Rout

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)1011/2019

Dated: 3-10-2020

Copy to:

1. The SPIO of the Office of the District Transport Officer, Jorhat for information.
2. The petitioner, Sri Kritikamal Bora, H.No.40, Dr. Bhupen Hazarika Road, Opp. Kharghuli, P.O-Kamrup(M) for information
3. Computer section for uploading in the website
4. Office File
5. Order Book

Registrar i/c
Assam Information Commission