



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

**JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No. : SIC/KMJ.39/2021  
Appellant : Sri Fojlur Rahman  
Respondent : The SPIO, O/o the Managing Director, Assam State Transport Corporation  
Date of hearing : 23.06.2022  
Second Appeal heard by : Sri Kanak Ch. Sarma  
State Information Commissioner, Assam

**O R D E R**  
23.06.2022

The appellant Sri Fojlur Rahman has authorized one Sri Mridu Pawan Malakar to represent him in today's hearing and accordingly he is present.

Sri Dipak Tamuli, Personnel Officer-cum-ASPIO, ASTC is present and submits written statement vide letter no. ASTC/HO/RTI/2005/DT/231/79 dated 23.06.2022.

Perused the case record. The appellant Sri Fojlur Rahman submitted one application dated 18.06.2021 under the RTI Act, 2005 before the SPIO, o/o the Managing Director, ASTC seeking certain informations. He did not receive the desired informations within the stipulated period of time and submitted 1<sup>st</sup> appeal petition dated 09.10.2021 before the 1<sup>st</sup> appellate authority of ASTC, HO Guwahati. Still, he did not receive the desired informations for which he preferred 2<sup>nd</sup> appeal dated 13.12.2021 before the Commission.

Seen the RTI application dated 18.06.2021. The applicant desires to have the following informations-

1. Name of all lease holders of the shops situated at ASTC Complex of Badarpur.with full address.
2. No. of shops in operation with shop no.
3. No. of shops not yet opened with shop no.
4. A statement of monthly payment of rent from the period of leasing out of the shops with name of lease holder.
5. Is there any defaulters of monthly rent among the lease holders? If yes, name of the defaulters of default amount monthwise.
6. Copies of Notice/letter of order for action taken against the defaulters so far.
7. Copies of all lease agreement with all the lease holders.
8. Provide name of the lease holders who have not yet renewed lease agreement up to this date.
9. Copies of all lease agreement already renewed.

The Managing Director, ASTC vide its letter no. ASTC/HO/RTI/2005/DT/231/3820 dated 23.12.2021 furnished the appellant that informations in respect of point number 1 is exempted under the provision of section 8 of the RTI Act, 2005, informations in respect of point numbers 2 and 3 had been given and for point numbers 4, 5, 6, 7, 8 and 9 are stated to be exempted under the provisions of RTI Act, 2005 for which the same could not be furnished by the ASTC.

The SPIO of ASTC, HO vide its letter no. ASTC/HO/RTI/2005/DT/231/79 dated 23.06.2022 submits that the appellant did not apply for settlement/allotment of any shop at ASTC complex of Badarpur. He further submits that the informations sought by the appellant has no relationship to any public activity or interests, rather it may cause unwarranted invasion of privacy of the individual i.e. all the lease holders of shops at ASTC, Badarpur Station as their personal informations such as residential address etc. is mentioned in agreement. Moreover, disclosure of such information by ASTC to the applicant Sri Fojlur Rahman may cause adverse effect and unwarranted delay in the process of taking some development measures of the respective ASTC division.

From a plain reading of the application, **it observed that the sought for informations are very much part of the record to be maintained by ASTC authority to lease out its shops at ASTC complex of Badarpur and since it is a matter of record, it is obviously a part of informations. The submission made by the SPIO that disclosure of these informations may adversely affect and delay in the process of taking development measures can't be acceptable. Therefore, the SPIO of ASTC, HO is directed to furnish the informations to the appellant within seven days of receipt of this order.**

**With the above directions, the 2<sup>nd</sup> appeal dated 13.12.2021 is disposed of.**

Sd/-

(Kanak Ch. Sarma)  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-

Registrar

Assam Information Commission

**Memo No. SIC/KMJ.39/2021**

**Dtd.23.06.2022**

Copy to:

1. The SPIO, O/o the Managing Director, Assam State Transport Corporation, Paltan Bazar, Guwahati- 781 008 for information and necessary action.
2. The First Appellate Authority/office of the Managing Director, Assam State Transport Corporation, Paltan Bazar, Guwahati- 781 008 for information.
3. The Appellant, Sri Fojlur Rahman, S/o- Lt. Mizazur Rahman, Vill- Khadiman, PO- Badarpurghat, Dist.- Karimganj, Assam, Pin- 788 803, Contact No. 8638279041 for information.
4. Computer Section for uploading the order in the Website.
5. Office File.

Registrar  
Assam Information Commission