



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

Case No. : **KP(M)667/2013**

Complainant/ appellant : **Smti Oshima Choudhury**

Respondent : **GMDA**

Date of hearing : **17-11-2015**

Complaint/ Second appeal heard by : **Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The petitioner Smti Oshima Choudhury is absent without information. The public authority is represented by Mrs.Atrayee Goswami, ACS, Development Officer, GMDA, Guwahati. The complaint petition dated 5-10-2013 is taken up for hearing ex parte in the absence of the petitioner.

The SPIO of GMDA has made a written submission dated 29th October, 2015. In her written submission it has been stated that the SPIO of GMDA vide letter dated 9th September, 2015 informed the petitioner Smti Oshima Choudhury that the un-authorized construction file in connection with Simon House could not be traced out in the office. From perusal of the RTI petition dated 19-8-2013 this Commission is of the view that the information sought for are admissible under the RTI Act, 2005 and, therefore, non-traceability of the file cannot be a justification for non furnishing of the information.

The SPIO has, however, stated in her written submission that the same petitioner filed another application dated 17-10-2013 regarding the same issue, i.e, building permission relating to Simon House and reply to that RTI applicant was given vide GMDA's letter dated 11th November, 2013. Subsequently, GMDA obtained copies of the NOC of building permission and approved drawings of the Simon House from the owner of the building Sri Kanaka Choudhury and furnished a copy of the NOC to the petitioner vide their letter dated 29th March, 2014.

The SPIO of GMDA also submitted that the petitioner has in the meanwhile been in correspondence with GMDA, one such letter being dated 19-7-2014 from the petitioner.

In view of the above, and in the absence of the petitioner, it could not be ascertained whether she is satisfied with the information already furnished to her by GMDA after she filed her complaint petition dated 5-10-2013.

The Commission, therefore, directs the petitioner/ complainant make a written submission stating whether she would still like to pursue the matter or withdraw her complaint petition in view of the information already furnished by GMDA. Her written statement should reach this Commission within 30 days from the date of receipt of this order.

Fix 6-1-2016 at 11.00 A.M for next hearing.

**Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati**

**Authenticated true copy.
Sd/-**

**Secretary & Registrar
Assam State Information Commission**

Memo No. **KP(M)667/2013/ -A**

Dtd. 17-11-2015

Copy to:

1. Mrs.Atrayee Goswami, ACS, Development Officer, GMDA, Guwahati.The Inspector of Schools, Kamrup District Circle , Kamrup for information and necessary action.
2. Smti Oshima Choudhury , Flat No. 309, DDA M/G Flats, Sector-18 (B), Dwarka, New Delhi- 110 075 for information and necessary action.
3. Computer Section for uploading in the Website.
4. Office File.

**Secretary & Registrar
Assam State Information Commission**