



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

Case No. : KP(M).54 /2014

Complainant/ appellant : Shri Dulal Bora

Respondent : Guwahati Metropolitan Development Authority,
Guwahati

Date of hearing : 10. 3.2016

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

O R D E R
10.3.2016

The petitioner Shri Dulal Bora is absent without information. The Public Authority is represented by Shri Debraj Kalita, SPIO of GMDA. In view of the large number of pending cases before the Commission, the Second Appeal petition dtd 14.11.13 is taken up for consideration ex-pare on merit in absence of the petitioner.

From perusal of the case records it is seen that the petitioner Shri Dulal Bora filed an RTI petition dtd.2.7.13 before the Chairman of GMDA wanting to know how two separate houses situated at Lalson Garo Road at Kainadhara, Guwahati can have the same house No. 119. The applicant further wanted to know whether the building permission was given to a person with surname "Talukdar" for construction of one of the two houses bearing house number 119. The SPIO has submitted a written statement stating that vide letter dtd 4.7.13 the petitioner was informed that the required information could not be furnished due to insufficient details given by the petitioner. On receipt of the First Appeal petition dtd 7.8.13 the FAA invited the petitioner for hearing on 13.8.13. But the petitioner was absent at the time of hearing of his First Appeal and the FAA upheld the decision of the SPIO.

This Commission is of the view that the SPIO of GMDA should have informed the petitioner as to what further details were required to be submitted by him to enable the SPIO to locate the missing file regarding

building permission. The SPIO should also have informed the petitioner that house numbers are allotted by GMC and not by GMDA and accordingly that part of the application should have been transferred to GMC u/s 6(3).

This Commission, therefore, directs the SPIO of GMDA to transfer the part of the RTI application relating to the allotment of same house number to two houses to SPIO of GMC u/s 6(3) of the RTI Act, 2005.

As regards building permission in favour of one person with surname "Talukdar", the SPIO, GMDA is directed to inform the petitioner to furnish the required additional information and details in support of his RTI application within 15 days from the date of receipt of this order.

The petitioner is directed to give the required additional information and details to SPIO of GMDA within 15 days from the date of receipt of the communication from GMDA. Thereafter SPIO of GMDA will dispose of the RTI application by furnishing the required information as may be admissible under the RTI Act within another 15 days from the date of receipt of the additional details and information from the petitioner. Third party information, if any, will be dealt with under section 11 of the RTI Act, 2005.

With the above order the Second Appeal petition dtd 14.11.13 is disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ KP(M).54/2014/

Dtd. 10.3.2016

Copy to: 1. The SPIO in the office of the Chairman, GMDA, Bhangagarh, Guwahati- 781 005 for information and necessary action.
 2. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
 3. Computer Section for uploading in the Website.
 4. Office File.

Registrar
Assam Information Commission