



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

Case No. : KP(M).45 /2014
Complainant/ appellant : Shri Dulal Bora
Respondent : Guwahati Municipal Corporation
Date of hearing : 25.4.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
25.4.2016

The petitioner Shri Dulal Bora is present. The Public Authority is represented by (1) Shri Santanu Das, SPIO and Associate Planner of Guwahati Municipal Corporation (GMC), and (2) Shri Dinesh Das, Zonal Engineer of GMC. The Second Appeal petition dtd 14.11.13 filed by the appellant Shri Dulal Bora is taken up for hearing in presence of both the parties.

From perusal of the case records it is seen that the petitioner filed an RTI petition dtd 2.7.13 before the Commissioner of GMC seeking the following information – (a) Name of the person in whose favour GMC gave permission for construction of house No. 1 at Sugam Path connecting Jayanagar with sixmile in Guwahati city, (b) Photocopies of all documents submitted by the owner of the house at the time of his prayer seeking building permission from the GMC, and (c) Whether the owner of the house has land and buildings in any other part of Guwahati city.

This Commission is of the view that the information No. (a) above is admissible under the RTI Act. The SPIO of the office of the Commissioner, GMC is therefore, directed to furnish the information to the petitioner, if necessary by obtaining the information from the concerned wing of the GMC, to the petitioner within 15 days from the date of receipt of this order, which was pronounced before the officials of the GMC.

As regards information sought for under (b) above, this Commission is of the view that this is a third party information. The SPIO of GMC is directed to follow the procedure laid down under section 11 of the RTI Act, 2005.

As regards information sought for under (C) above, the officials of GMC present today submitted that it is not possible for them to find out particulars of land and buildings owned by the third party under consideration, in other parts of Guwahati city, only on the basis of the name of the person. The Commission agrees with the submission made by the GMC officials.

This Commission, therefore, directs the petitioner Shri Dulal Bora to furnish additional information like location of the other plots of land owned by the third party along with particulars like Dag No., Patta No., name of village , name of mouza and holding numbers of the plots of land to the SPIO of GMC, if he is still interested in receiving the information.

This Commission also observes that these are also third party information and SPIO will follow the procedure laid down u/s 11 of the RTI Act, 2005 before deciding to furnish the information to the petitioner.

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).45/2014/

Dtd. 25.4.2016

Copy to:

1. The SPIO of the office of the Guwahati Municipal Corporation, Guwahati- 781 001 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