



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

Case No. : KP(M).478 /2014
Complainant/ Appellant : Shri Bikash Sarma
Respondent : Guwahati Municipal Corporation, Guwahati-1
Date of hearing : 08.6.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

08.6.2016

The petitioner Shri Bikash Sarma is absent. However, he has sent a written submission dtd 4.6.16 informing that due to his present posting at Dhubri, he could not appear in today's hearing. The Public Authority is represented by (1) Sayed Isfaqur Rahman, Addl. Commissioner, GMC, (2) Shri Santanu Das, Associate Town Planner, GMC, and (3) Shri Dinesh Das, Zonal Engineer, GMC. The Second Appeal petition dtd 27.5.14 is taken up for hearing ex-parte in absence of the petitioner.

From perusal of the case records it is seen that the petitioner Shri Bikash Sarma vide his RTI petition dtd 28.2.14 filed before the PIO of Gauhati Municipal Corporation (GMC) sought various information about construction of eight storied apartment building by M/S ABH Pioneer at Panjabari – Narengi Road, Panjabari, Guwahati, named as Golden Tower. It is also seen that the petitioner filed a First Appeal petition dtd 17.4.14 before the Commissioner, GMC, wherein he mentioned that he received some information on 4.4.14 vide GMC's letter dtd 1.4.14. However, he appealed before the First Appellate Authority stating that the information furnished to him was incomplete, improper, delayed and misleading, details of which he mentioned in the First Appeal petition. The First Appeal petition was heard and disposed of by the Commissioner, GMC vide order dtd 2.5.14.

From perusal of the RTI petition dtd 28.2.14 and information furnished by the GMC vide letter dtd 1.4.14, it is seen that information against point No. 1, whether the building permission was given as per provision of law, was not furnished to the petitioner. All the information with reference to the sub-points A,B,C,D & E under

point No. 2 were furnished to the petitioner. Information regarding sub-point No. A, E & F in point No. 3 were also furnished. It is seen that information relating to point No. 3 (B) regarding building plan, 3 (C) Ownership Documents and 3 (D) Land sale permission were third party information.

This Commission, therefore, directs the SPIO of GMC to proceed under section 11 of the RTI Act, 2005 and dispose of the matters relating to points 3(B) and 3 (C) with speaking orders within 40 days from the date of receipt of this order and give a copy of the speaking order to the appellant. As regards 3(D), the PIO of GMC will transfer this portion of the RTI application to Deputy Commissioner, Kamrup (Metro) district and GMDA for disposal with speaking orders under Section 11 of the RTI Act.

With the above order the Second Appeal petition dtd 27.5.14 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).478/2014/37-A

Dtd. 08.6.2016

Copy to:

1. The Addl. Commissioner & SPIO of Guwahati Municipal Corporation, Panbazar, Guwahati-781 001 for information and necessary action.
2. Shri Bikash Sarma, 3 A, Amulya Nagar Batahghuli road, Panjabari, Guwahati-37 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar
Assam Information Commission