

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

Case No. : KP(M).416/2016  
Complainant/ Appellant : Shri Bimal Singh  
Respondent : Guwahati Metropolitan Dev. Authority  
Date of hearing : 10.8.2016  
Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**  
10.8.2016

The petitioner Shri Bimal Singh is present accompanied by (1) Shri K.N. Kalita & (2) Shri N.M. Goswami, members of Karmabir Bordoloi Path Unnayan Committee. The public authority is represented by Shri Debaraj Kalita, Town Planner & SPIO of GMDA. The second appeal petition dtd 23.5.14 is taken up for hearing in presence of both the parties.

The petitioner as well as the public authority submitted two separate written statement dtd 10.8.16 and 4.8.16 respectively, which are entered into the case records.

From perusal of the case records it is seen that the petitioner filed an RTI petition dtd 13.11.13 before the Chief Executive Officer of GMDA seeking information against four different points relating to erection of a Mobile Tower by Airtel Bharati Televentures Ltd. on top of the house belonging to Smti. Sewali Saikia located at Karmabir Bordoloi Path, opposite Wireless, Rukmininagar, Guwahati-6. Not getting any response to the RTI petition, the petitioner filed a first appeal petition dtd 5.2.14 before the First Appellate Authority of GMDA. The SPIO of GMDA vide letter dtd 4.3.14 furnished point-wise replies to the petitioner vide her letter dtd 4.3.14.

It is seen that the information sought for in point no. 1 of the RTI petition was very simple - whether permission was granted to erect the mobile tower on the first floor or on the fourth floor of the building belonging to Smti. S. Saikia. The reply given by the SPIO of GMDA is evasive. The petitioner deposed that at present the tower is mounted on the first floor of the residential building of Smti. S. Saikia.

This Commission directs the CEO of the GMDA to furnish the sought for information to the petitioner within 15 days from the date of receipt of this order. If the relevant file is lost and has not been recovered, then the CEO, GMDA shall inform the petitioner whether GMDA will grant permission for erection of the mobile tower which exists in its existing location on top of first floor the building of Smti. S. Saikia under the existing rules and regulations of GMDA and with reference to the public health safety norms prescribed by the competent authority of Govt. of India. The petitioner admitted that the other points raised by him in his RTI petition will be covered if the above information is furnished to him.

With the above order, the second appeal petition dtd 23.5.14 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).416/2016/26-A

Dtd. 10.8.2016

Copy to:

1. The SPIO of the office of the Guwahati Metropolitan Authority, Bhangagarh, Guwahati-5 for information and necessary action.
2. Shri Bimal Singh, House No. 12A, Karmabir Bordoloi Path, Wireless, Dispur, Guwahati-6 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar  
Assam Information Commission