

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

Case No. : **KP(M).169/2014**

Complainant/ appellant : **Sri Muhiteswar Goswami**

Respondent : **North Guwahati Town Committee**

Date of hearing : **12-8-2016**

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

O R D E R

The petitioner Sri Muhiteswar Goswami is present. The First Appellate Authority is represented by :- (1) Smti Protima Rongpipi, ACS, Assistant Commissioner, Kamrup (Metropolitan) District. The SPIO of the office of Chairman, North Guwahati Town Committee who was the main respondent is absent without any information.

The representative of the Deputy Commissioner, Kamrup (Metropolitan) District submitted that the North Guwahati Town Committee has since been notified to be falling under the jurisdiction of Deputy Commissioner, Kamrup (Rural).

The second appeal petition dated 18-1-2014 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 dated 9-5-2013 followed by another RTI petition dated 15-7-2013. Since the information sought for by the second appeal petition dated 15-7-2013 is already included in the first RTI petition dated 9-5-2013, the second RTI petition dated 15-7-2013 is found to be redundant and only the first RTI petition dated 9-5-2013 is taken up for consideration.

It is also seen from the records that the Chairman, North Guwahati Town Committee had already furnished some information to the petitioner vide their letter dated 7-6-2013 and 14-8-2013.

Further, the Deputy Commissioner, Kamrup (Metro) also heard the first appeal petition filed by the petitioner passed orders on 10-9-2013 directing Sri Girisha P.S , Asstt. Commissioner, Kamrup (Metropolitan) to check the accounts of the North Guwahati Town Committee from 2006 till the date of hearing and to furnish a report to him within 1 (one) month.

Thereafter, on 20-11-2013 the SPIO of the office of the Deputy Commissioner, Kamrup (Metropolitan) informed the petitioner in response to his letter dated 11-11-2013 that the Assistant Commissioner Sri P.S. Girisha had been deputed for Departmental training and that the matter was expected to be completed soon after the return of the Asstt. Commissioner.

Thereafter, the petitioner filed his second appeal petition dated 18-1-2014 before this Commission on the ground that he has not been furnished with the following information:-

1. **Statement against all bank accounts operated by the North Guwahati Town Committee during the period from 2006-2007 to 2012-13;**
2. **Utilization reports of funds received by the North Guwahati Town Committee from different sources.**
3. **Plan and estimate of works executed by the North Guwahati Town Committee during the period 2006-2007 to 2012-2013**

When told by this Commission that the scope of the information will be too big, he submitted that he will be satisfied if he is furnished information with regard to the plan and estimates of the drains constructed by the Town Committee during the above mentioned period.

This Commission is of the opinion that all the informations including the bank statements of the public authority are informations which are admissible under the RTI Act. This Commission, therefore, directs the Chairman, North Guwahati Town Committee to allow the petitioner to inspect all relevant records and documents in respect of the above admissible informations pertaining to drains during office hours on any working day within 20 days from the date of receipt of this order and also allow the petitioner to take notes and photo copies of the relevant and admissible documents free of cost up to 20 copies and thereafter on payment of Rs. 2/- for every additional page of photo copy.

In view of the absence of any authorized representative from the North Guwahati Town Committee, without information, they could not be heard. However, in the event of non-compliance of the above order by the Town Committee, the petitioner will be at liberty to approach this Commission for further actions under the RTI Act.

With the above order the second appeal petition is disposed of

**Sd/-
(H. S. Das)**

**State Chief Information Commissioner, Assam
Panjabari, Guwahati**

Authenticated true copy.

**Sd/-
Registrar
Assam Information Commission**

Memo No.SIC/ KP(M) 169/2014/44-A

Dated.12-8-2016

Copy to:

1. Smti Protima Rongpipi, ACS, Assistant Commissioner, Kamrup (Metropolitan) District, Panbazar, Guwahati-1 for information.
2. SPIO of the Office of North Guwahati Town Committee, for information and necessary action, as ordered above.
3. Sri Muhiteswar Goswami, C/O Late Indreswar Goswami, Village- Rajaduar, NGTC Ward No.-4, P.O-North Guwahati, Guwahati-30 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

**Registrar
Assam Information Commission**