

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

Case No. : **KP(M) 21/2016**

Complainant/ appellant : **Sheikh Noor Iman Mukhtar**

Respondent : **Guwahati Municipal Corporation**

Date of hearing : **29-8-2016**

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

O R D E R

The petitioner Sheikh Noor Iman Mukhtar is present accompanied by his wife Mrs Dilwara Sheikh. The public authority is represented by Sayed Isfaque Rahman, Additional Commissioner, Guwahati Municipal Corporation.

The second appeal petition dated 24-5-2015 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 29-9-2014 before the SPIO of Guwahati Municipal Corporation seeking information on permission, if any, given by GMC to Sheikh Noor Islam for construction of another building where a new market named "Nikita Market" has been set up.

The SPIO of GMC furnished some information to the petitioner vide letter dated 15-11-2014. Not satisfied with information furnished, the petitioner filed appeal petition dated 15-12-2014 before the First Appellate Authority of GMC followed by his second appeal petition dated 25-4-2015 before this Commission.

It is mentioned in the RTI petition that the petitioner Md. Noor Iman Mukhtar took a building permission from GMDA jointly with his brother Sheikh Noor Islam for construction of two separate buildings at Bhangagarh, G.S. Road, Guwahati-5 in the year 1992. The petitioner used his building for setting up hotel Midline and Sheikh Noor Islam set up a market complex named "Munni Market" in a space kept open, as per the above mentioned permission, as space for car parking. Subsequently, in the year, 2001 Sheikh Noor Islam built another building named "Nikita Market" in the open space. This caused harassment and inconvenience to the petitioner. According to the petitioner the building permission for "Nikita Market" was given by GMC. The petitioner deposed that he will be satisfied if he is given a copy of the building permission alongwith the layout for drainage given by GMC in favour of Sheikh Noor Islam for the building mentioned above, which now houses the "Nikita market".

The SPIO of GMC deposed that he will have to collect the sought for information from the Planning branch of GMC.

This Commission, therefore, directs the SPIO of GMC to collect the required information, as mentioned above, from the concerned officer of Planning branch of GMC, who will be treated as deemed PIO for the purpose under Section 5(5) of the RTI Act, 2005, and furnish the same to the petitioner within 15 days from the date of receipt of this order.

With the above order, the second appeal petition dated 25-4-2015 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) 21/2016/ 43-A**

Dated.29-8-2016

Copy to:

1. Sayed Isfaqur Rahman, Additional Commissioner, Guwahati Municipal Corporation.
for information and further necessary action, as ordered above.
2. Sheikh Noor Iman Mukhtar, House No.-139, Opposite Ascard Bank, Ulubari Bazar,
Ashram Road, South Sarania, Guwahati-7 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

**Registrar
Assam Information Commission**