

**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : KP(M)799/2017
Complainant/ Appellant : Sri Kalyan Kr Das
Respondent : North Guwahati Town Committee.
Date of Hearing : 06-10-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R
06-10-2017

1. The appellant/petitioner Sri Kalyan Kr. Das is present. The public authority i.e., North Guwahati Town Committee is represented by Sri Debajit Sarma, Assistant Engineer, North Guwahati Town Committee. The second appeal petition dated 24-8-2017, read with the RTI petition dated 27-12-2016, is taken up for consideration in presence of both the parties.
2. From perusal of the case records it is seen that the petitioner's RTI petition dated 27-12-2016 filed before the Deputy Commissioner, Kamrup (Metro), Guwahati was transferred to :- (i) CEO, GMDA, Bhangagarh, Guwahati and (ii) Chairman, North Guwahati Town Committee, North Guwahati-13 vide letter dated 29-12-2016. Followed by another transfer letter dated 25-4-2017 to the Chairman, NGTC by SPIO – Deputy Commissioner, Kamrup (Metro)'s office.
3. The petitioner produced before this Commission a copy of letter No. GMDA/RTI/2015/44/53 dated 16th August, 2017 addressed to him by the SPIO of GMDA enclosing copies of documents sought for and identified by the petitioner after inspection of records. The petitioner submitted orally that he is satisfied so far as the information furnished by GMDA is concerned. His main grounds for filing the second appeal petition is non-receipt of any information from the North Guwahati Town Committee. The informations that he requires from North Guwahati Town Committee are :- (a) whether permission for construction of building by Sri Hitesh Ch. Das, son of Late Bhabesh Ch. Das in a plot of land under Dag No. 399, patta No. 325 of revenue village North Guwahati, Mouza- Sila Sinduri Ghopa, Dag No. 2, North Guwahati has been given by the North Guwahati Town Committee, and (b) if yes, whether no objection certificates from the co-pattadars including all the legal heirs of Late Mohi Ram Das son of Late Sani Ram Das were obtained.
4. The Assistant Engineer representing North Guwahati Town Committee submitted orally that NOC for the building permission was given to Sri Hitesh Ch. Das by North Guwahati Town Committee after receipt of planning permission from GMDA. He further submitted that the NOCs on the basis of which the building permission has been granted to Sri Hitesh Ch. Das are available and have been kept ready for furnishing to the petitioner.

5. After hearing both the parties it transpired that patta No. 325 mentioned above is an ejmali patta containing the names of several pattadars. The petitioner admitted that his concern is not the technical aspects of the building permission, but the land on which the building is being constructed by Sri Hitesh Ch. Das –whether it rightfully belongs to Sri H.C.Das and whether no objections of all the co-pattadars including all the local heirs of Late Mohi Ram Das have been obtained by GMDA before giving planning permission and by NGTC before giving building permission.
6. In view of the above Sri Debajit Sarma, Asstt. Engineer of NGTC who represented North Guwahati Town Committee in today's hearing, is directed to allow the petitioner to obtain copies of no-objection certificates of all the co-pattadars of patta No. 325, as mentioned above to the petitioner and also allow him to inspect other relevant office records pertaining to the building permission, falling within the ambit of the RTI petition dated 27-10-2016, within 15 days from the date of this order which was pronounced in presence of both the parties.
7. With the above order, the 2nd appeal petition dated 24-8-2017 is disposed of.

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Registrar
Assam Information Commission

Memo No SIC/ KP(M)799/2017/

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Dated 06-10-2017

Copy to:-

- 1) Sri Debajit Sarma, Assistant Engineer, North Guwahati Town Committee for information & necessary action as ordered above.
- 2) Sri Kalyan Kr. Das, Personnel (A) Department, Assam Secretariat (Civil), 'A' Block, 3rd Floor, Dispur, Guwahati-6 for information and necessary action as ordered above.
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

Registrar
Assam Information Commission.