

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

Case No. : KP(M).854/2017
Complainant/ Appellant : Shri Dulal Bora
Respondent : Revenue & Disaster Management Department, Govt. of
Assam, Dispur
Date of hearing : 19.2.2018
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
19.2.18

The appellant Shri Dulal Bora is present. The public authority is represented by: (1) Shri Hitesh Sarma Medhi, SPIO of Guwahati Metropolitan Development Authority (GMDA) accompanied by Shri Phlulen Saharia, Jr. A.A. and (2) Shri Ranjit Konwar, Circle Officer (CO), Dispur Revenue Circle. The SPIO of Political Department is absent. The Second appeal petition dated 24.7.17 is taken up for further consideration in pursuance of this Commission's earlier orders dated 27.11.17 and 17.1.18.

The SPIO of GMDA submitted a written statement dated 17.2.18, which is entered into the case records.

The CO, Dispur Revenue Circle submitted a copy of his letter dated 17.2.18 addressed to the petitioner Shri Dulal Bora stating categorically that as per verification and Lot Mandal's report no Government land is found to be encroached by Shri Manoj Kumar Goswami. A copy of the letter was again handed over by the CO to the petitioner in presence of this Commission. This takes care of point no. 7(b) of this Commission's earlier order dated 27.11.17.

As regards building permission accorded by the GMDA, the SPIO of GMDA submitted orally that at present GMDA gives planning permit and Guwahati Municipal Corporation (GMC) gives building permission. In the instant case of Shri Manoj Kumar Goswami, the GMDA uses to give building permission. The SPIO submitted that the building permission records are available in the office records and assured to provide a copy of the same to the petitioner within 7 days from today. This Commission agrees with the suggestions and directs the SPIO of GMDA today to do so without fail.

As regards point no. 7 (d), the petitioner submitted that he has not yet received any information from the SPIO of the Political Department, Government of Assam. As already mentioned that the SPIO of Political Department is absent. However, he sent a written submission dated 19.2.18 enclosing a copy of revenue & DM Department's letter dated 4th January, 2017 addressed to the petitioner Shri Dual Bora regarding the land settlement order. The SPIO of Political Department appears to have mixed-up the part of the sought for informations, which relates to the Political Department. It is clearly mentioned in paragraph 8 of this Commission's previous order dated 27.11.17 that information relating to paragraph 7 (d) of that order pertains to Political department. Further, the SPIO of Political Department was given clear direction about his responsibility in paragraph 9 of the order dated 27.11.17. He is, therefore, directed to comply with the above directions of this Commission's order dated 27.11.17 (enclosed copy for ready reference) within 15 days from the date of receipt of this order with intimation to the Registry of this Commission.

Fix 1.30 PM on 13.3.2018 for review of action taken by the SPIO of GMDA and SPIO of Political Department.

Sd/-
(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.
Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).854/2017/

Dtd. 19.2.2018

Copy to:

1. The SPIO of the Revenue & Disaster Management Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. The SPIO of Guwahati Metropolitan Development Authority, Bhangagarh, Guwahati-5 for information and necessary action.
3. The SPIO & Joint Secretary, Political Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
4. Shri Dulal Bora, Kainadhara Tiniali, House No. 118, Khanapara, Guwahati-22 for information.
5. Computer Section for uploading in the Website.
6. Office File.
7. Order Book.

Registrar
Assam Information Commission