

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

Case No. : SIC/KP(M).1046/2017
Appellant : Shri Hari Narayan Pathak
Respondent : The SPIO, O/o the Guwahati Municipal Corporation,
Panbazar, Guwahati- 1
Date of hearing : 09.04.2018
Second Appeal heard by : Shri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
09.04.2018

Shri Montu Daimari, i/c Deputy Commissioner/APIO, Dr. Anindita Chanda, Senior Medical Officer, Guwahati Municipal Corporation, Shri P. Rajesh Singh, attached to SPIO, GMC and Shri Nipam Baishya, attached to APIO, GMC are present. A Written Statement dated 09.04.2018 has been submitted.

The Appellant, Shri Hari Narayan Pathak is present.

Heard the Appellant. He submitted that the information by way of the copies of the trade licenses in respect of three establishment he had requested for has been provided but not the related documents such as Application for trade licenses and other documents leading to issue of the licenses.

Heard the ASPIO and other officials and perused the Written Statement. Through the Written Statement, the SPIO has submitted the relevant information relating to the furnishing of the information including the action taken on the decision of the First Appellate Authority and has stated that there has been no negligence on his part. As regard non-furnishing of the related documents he explained that related records could not be found.

From the perusal of the case records and the submission as above, it appears that the related documents sought for by the Appellant were of such nature as are required by the Public Authority to be maintained. In view of this, the Commission hereby orders U/S 19(8) of the RTI Act, 2005 that the Commissioner GMC, should have a formal, systematic investigation conducted to find the relevant records and would provide the documents requested for to the Appellant within 20 (twenty) days of receiving of this order. Further, Commissioner, GMC shall take appropriate action to fix responsibility and accountability on the delinquent officials if the records are not found. Furthermore, it would be necessary for the Commissioner, GMC to review the record maintenance system in the GMC to ensure that important documents/records are maintained in accordance with the record maintenance policy of the Corporation.

The Second Appeal is hereby disposed of with this order.

Sd/-
Pinuel Basumatary IA & AS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/KP(M).1046/2017/35-A

Dtd.09.04.2018

Copy to:

1. The SPIO, O/o the Guwahati Municipal Corporation, Panbazar, Guwahati- 1 for information and necessary action.
2. The First Appellate Authority/Guwahati Municipal Corporation, Panbazar, Guwahati- 1 for information.
3. The Appellant, Shri Hari Narayan Pathak, Padum Pukhuri, Uzan Bazar, Guwahati- 781 001, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission

