



OFFICE OF THE

ASSAM INFORMATION COMMISSION

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No.	KP(M).340/2018
Complainant/ Appellant	Smti Madhumita Mukherjee
Respondent	Commissioner, Guwahati Municipal Corporation
Date of Hearing	07.06.2018
Complaint/ Second appeal heard by	Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam

O R D E R

07.06.2018

1. The petitioner Smti Madhumita Mukherjee is present accompanied by her husband Dr. Kalyan Mukherjee to assist her. The public authority i.e., Guwahati Municipal Corporation (GMC) is represented by (a) Smti Alin Begum, Executive Engineer, Planning Branch, GMC, (b) Sri Doni Hatimuria, Zonal Engineer, Planning Branch, GMC, and (c) Sri Jitu Ballav Dutta, UDA, of the same office.
2. The second appeal petition dated 13-12-2017 is taken up for hearing in presence of both the parties.
3. From perusal of the case records it is seen that the petitioner filed an RTI petition dated 31-8-2017 before the SPIO of GMC seeking certain informations relating to building permission mentioned in the RTI petition.
4. It is seen that not getting any response from the SPIO of GMC, the petitioner filed a first appeal petition dated 1-11-2017 followed by the instant second appeal petition dated 13-12-2017 before this Commission. The petitioner, however, did not enclose a copy of the order of the First Appellate Authority, with reference to which the second appeal petition have been filed. At the time of hearing today he produced a copy of the First Appellate Authority of GMC's order dated 26-12-2017.
5. The FAA's order mentions that at the time of hearing before the FAA, the petitioner Smti Madhumita Mukherjee as well as Smti Alin Begum, Executive Engineer, GMC were present. In her order the First Appellate Authority directed the Executive Engineer, Planning Branch of GMC to furnish the informations to the petitioner within 7 (seven) days from the date of receipt of that order. A copy of that order was marked to the Executive Engineer, Planning Branch of GMC for necessary action.

6. However, at the time of hearing today Smti Alin Begum , Executive Engineer, GMC submitted that she did not receive her copy of the order of the FAA and therefore, no action has been taken so far.

7. The petitioner furnished a copy of the FAA's order dated 26-12-2017 to the Executive Engineer, Planning Branch , GMC before this Commission today.

8. In view of the clear order of the FAA which remained un-attended to till date the SPIO and Executive Engineer of the Planning Branch of GMC is directed to furnish the sought for information to the petitioner within 30 days from the date of receipt of this order , if necessary by causing field verification of the building in question and identifying the names of the persons in whose name the building permissions were granted.

9. With the above order, the 2nd appeal petition dated 13-12-2017 is disposed of.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar I/c

Assam Information Commission

Memo No SIC/ KP(M).340 /2018/

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Dated 07.06.2018

Copy to:-.

- 1) SPIO of the office of Commissioner of Guwahati Municipal Corporation, Panbazar, Guwahati-781 001 for information and necessary action as ordered above.
- 2) Srimati Madhunmita Mukherjee, House No.-11/1, SRD Path, A.K.Azad Road, P.O-Rehabari, Guwahati- 781 008, Assam, for information .
- 3) Computer Section for uploading in the Website
- 4) Office file.
- 5) Order Book.**

Registrar I/c

Assam Information Commission.