



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

Case No. : KP(M).165/2017
Complainant/ Appellant : Sri Diwakar Choudhary
Respondent : Guwahati Municipal Corporation, Panbazar, Guwahati-1.
Date of hearing : 13.6.2018
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

13.6.18

1. The petitioner Shri Diwakar Choudhary is present. The public authority is represented by Smti. Alin Begum, Executive Engineer of Guwahati Municipal Corporation accompanied by Shri Jitu Ballav Dutta, UDA. The second appeal petition dated 22.3.17 is taken up for further hearing in pursuance of this Commission's earlier order dated 22.9.17.
2. It is seen from the case records that the petitioner has submitted two non-compliance complaints dated 25.10.17 and 20.2.18. The Executive Engineer of GMC submitted orally that yesterday dated 12.6.18 they sent the sought for information, except for Pink Arcade, to the applicant. The Executive Engineer of GMC submitted that it is necessary to have the name of the person in whose name building permission was granted. The petitioner has not been able to furnish the same to the GMC authority.
3. In view of the above, the SPIO of GMC is directed to seek necessary assistance from the concerned officers of GMC u/s 5(4) read with section 5(5) of the RTI Act, 2005 to ascertain the name of the person in whose name the building permission for Pink Arcade was granted and then retrieve the information sought for by the petitioner and furnish the same within 45 days from the date of receipt of this order. The sought for informations in respect of other three buildings namely (i) Steel House, (ii) Vishal Mega Mart and (iii) Bazar India, the petitioner agreed to collect the same from the SPIO of GMC
4. Smti. Alin Begum, Executive Engineer, GMC made an oral submission that she has difficulty in carrying out the orders of the Commission as she is not the designated SPIO of the GMC. **The Commissioner of GMC is, therefore, directed to issue necessary instructions to the SPIO of GMC to attend hearings and make submission, along with the deemed PIO as defined u/s 5(5) of the RTI Act, 2005, if necessity arises.**

With the above order, the second appeal petition dated 22.3.17 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).165/2017/

Dated. 13.6.2018

Copy to:

1. The Commissioner, Guwahati Municipal Corporation, Panbazar, Guwahati-1 for information and necessary action.
2. The SPIO of the Guwahati Municipal Corporation, Panbazar, Guwahati-1 for information and necessary action.
3. Sri Diwakar Choudhary, House No. 18, Rehabari, Guwala Patti, Near New Post Office, Guwahati-8 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission