



OFFICE OF THE

ASSAM INFORMATION COMMISSION**JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**

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Case No.	KP(M). 222/ 2018
Complainant/ Appellant	Sri N. K. Chowdhury
Respondent	Commissioner, Guwahati Municipal Corporation
Date of Hearing	12.07.2018
Complaint/ Second appeal heard by	Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam

O R D E R
12.07.2018

1. The petitioner Sri Nirmal Kr. Chowdhury is present. The public authority is represented by Smti Alin Begum, Executive Engineer, Planning Branch, Guwahati Municipal Corporation (GMC) accompanied by Sri Doni Hatimuria, Zonal Engineer, Planning Branch, GMC.
2. The second appeal petition dated 20-3-2018 read with his RTI petition dated 17-7-2017 is taken up for hearing in presence of both the parties.
3. The SPIO of Planning Branch, GMC submitted a written statement dated 10-7-2018, with supporting documents. The W/S is entered into the case records. On receipt of the RTI petition dated 17-7-2017 a communication was made with the Associate Planner, Planning Branch, GMC vide letter dated 19-7-2017 followed by reminders dated 24-8-2017 and 26-9-2017 for submission of the sought for informations. Thereafter, the First Appellate Authority of GMC took a hearing on 26-12-2017 of the first appeal petition dated 10-10-2017. The petitioner Sri N. K. Chowdhury and Smti Alin Begum , Executive Engineer, Planning Branch , GMC were present in the hearing. The FAA in her order dated 26-12-2017 directed the Executive Engineer, Planning Branch of GMC to locate the file and submit a reply to the petitioner within 5 working days.
4. Not getting any information even after the First Appellate Authority's order as afore-stated, the petitioner filed his second appeal petition dated 20-3-2018 before this Commission. The Executive Engineer , Planning Branch submitted orally that the order of the First Appellate Authority could not be complied with as the relevant filed could not be found. It was traced out only yesterday (11-7-2018) and the sought for informations were sent to the PIO of GMC on 11-7-2018 for communicating the same to the petitioner. The Executive Engineer, Planning Branch, GMC brought with her a copy of the informations, which she handed over to the petitioner before this Commission today.

5. When asked by this Commission, the Executive Engineer, Planning Branch, GMC stated that no specific informations could be given against point Nos. 1, 2 & 3 of his RTI petition for which she prayed for one months' time. Time as prayed for is granted with the direction that the Executive Engineer , Planning Branch, GMC will trace out the relevant records and furnish the same to the petitioner within 30 days from the date of this order which was pronounced in her presence.

6. As regards point Nos. 4 & 5 of the RTI petition, the Executive Engineer, Planning Branch submitted orally that the builder has not yet submitted the completion certificate of the building in question and, therefore, GMC has also not issued occupancy certificate till now. Hence, GMC is not in a position to furnish copies of those certificates to the petitioner.

7. The Executive Engineer , Planning Branch of GMC is directed to verify her office records once again and advise the petitioner about the latest and correct position within 30 days from the date of receipt of this order.

8. With the above order the second appeal petition dated 20-3-2018 is disposed of with the provision that the petitioner will be at liberty to revert to this Commission if he is not satisfied with the informations so furnished.

Sd/-

(H. S. Das)

**State Chief Information Commissioner,
Assam**

Authenticated true copy

Sd/-

Registrar I/c

Assam Information Commission

Memo No SIC/ KP(M) KP(M).222/ 2018. /

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Dated 12.07.2018

Copy to:-.

- 1) SPIO and Executive Engineer, Planning Branch, Guwahati Municipal Corporation, Panbazar, Guwahati-1 for information and necessary action as ordered above.
- 2) Sri Nirmal Kr. Chowdhury, Joint Director (Retd), DGM, Assam, House No-74, Old Fire Brigade Lane, Chatribari, Guwahati-781008 for information
- 3) Computer Section for uploading in the Website
- 4) Office file.
- 5) Order Book.**

Registrar I/c

Assam Information Commission.