

**OFFICE OF THE
ASSAM INFORMATION COMMISSION**

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. :No.KP(M).204/2018
Complainant/ Appellant Sri Sudipta Das
Respondent :Guwahati Municipal Corporation
Date of Hearing :21-09-2018
Complaint/ Second :Shri H. S. Das, IAS (Retd)
appeal heard by :State Chief Information Commissioner, Assam

O R D E R
21-09-2018

1. The appellant / petitioner Sri Sudipta Das is present. The public authority i.e. the Political Department is represented by Md.Akbar Ali, Superintending Engineer of Guwahati Municipal Corporation (GMC).
2. The second appeal petition dated 25-1-2018 is taken up for hearing in pursuance of this Commission's earlier order dated 5-6-2018 and non-compliance complaint petition dated 2-7-2018 in presence of both the parties.
3. The PIO of GMC has sent a written submission dated 3-8-2018 with supporting documents which is entered into the case records.
4. It has been mentioned in the W/S that necessary informations have already been furnished to the petitioner in compliance of this Commission's order dated 5-6-2018. One of the attachments with the W/S is a letter dated 2-7-2018 from the Superintending Engineer In charge, Division –III of GMC giving point-wise information to the PIO of GMC in response to the petitioner's RTI petition dated 14-12-2017. In support of point No.-1 of the furnished information it has been mentioned that the Superintending Engineer of Division-III visited the concerned damaged Sonali Sarani Path. A copy of the Inspection report of the Superintending Engineer, Division-III addressed to the Commissioner / Chief Engineer of GMC have been enclosed. It has been mentioned in the inspection report that the Superintending Engineer visited the concerned road at Ananda Nagar of Christian Basti. The road was found to be in a fully damaged condition and that new construction of the said damaged road is required. The Superintending Engineer has also mentioned that there is no other note sheets. . By "second Note sheet" he means "his inspection report dated 29-12-2017 addressed to the Commissioner/Chief Engineer of GMC."
5. The Superintending Engineer submitted orally that after submission of his inspection report dated 29-12-2017 he has not received any instruction or approval for any action to be taken from the Chief Engineer or Commissioner of GMC. Processing in file note sheets of the Engineering Division (GER) of GMC begins after receipt of approval for any construction or repairing works before opening a new file of the work.

6. The petitioner submitted that by his RTI petition he wanted photo copies of the note sheets of the file in which his original complaint petition dated 24th November, 2017 was processed in the files of Commissioner GMC's office or Chief Engineer's office and the file in which the inspection report dated 29-12-2017 of the Superintending Engineer of Division-III has been processed.
7. As regards point No.-2 of the RTI petition this Commission is of the view that furnishing of the inspection report dated 29-12-2017 meets the requirement. As regards point No.-3 of the RTI petition a copy of the complaint petition dated 24-11-2017 with directions on the body of the application itself have been furnished to the petitioner. Hence no further information appears to be necessary on this count also. As regards point No. -4 the petitioner has been informed that the inspection report of the Superintending Engineer, Division-III is under process, implying thereby that necessary action is under consideration. So far as point No.-5 is concerned the petitioner has been categorically informed that no such rules/directions are available.
8. In view of the above, the SPIO of GMC is directed to allow the petitioner to inspect all relevant office records including note sheets of GMC where the inspection report dated 29-12-2017 submitted by the S.E., has been processed, so that the petitioner can apprise himself about the present status of action taken and decision making on his complaint petition dated 24th November, 2017. The inspection of records be carried out during office hours on any working day within 15 days from the date of receipt of this order. The petitioner is also directed to give at least 2 days' advance notice to the SPIO and Additional Commissioner of GMC Sri Deba Kr. Misra, ACS, before his date of inspection. The SPIO is also directed to allow the petitioner to take notes and photocopies of documents required by him that fall within the ambit of his RTI petition, free of cost up to 25 copies and there after against payment of Rs. 2/- for every additional page of photo copy.
9. Fix 21st November, 2018 at 12.30 P.M for review of action taken, where presence of the Superintending Engineer, Division-III of GMC and the SPIO of GMC will be required besides the appellant.

Sd/-

(H. S. Das)

Chief Information Commissioner, Assam,
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar

Assam Information Commission.

Copy to :-

1. Sri Md.Akbar Ali, Superintending Engineer of Guwahati Municipal Corporation (GMC). Panabazar, Guwahati-1 for information and necessary action.
2. SPIO of Guwahati Municipal Corporation, Panbazar, Guwahati-1 for information and necessary action as ordered above.
3. Sri Sudipta Das, House No.-3, GMCH Road, Christian Basti, Ananda Nagar, Guwahati-781 007 for information.
4. Computer Section for uploading in the Website.
5. Office file.
6. Order Book.

**Joint Registrar
Assam Information Commission**