



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
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Case No. : KP(M)2081/2019
Appellant : Sri Gautam Sen Deka
Respondent : The SPIO of the office of the Guwahati
Municipal Corporation.
Date of hearing : 06.03.2020
Second Appeal heard by : Dr. A. P. Rout, IPS (Retd.)
Chief Information Commissioner, Assam.

O R D E R

06.03.2020

The petitioner Sri Gautam Sen Deka absent. However, he has sent his representative Sri Mridul Sen Deka authorizing him to attend today's hearing on his behalf. The public authority is represented by (i) Sri Deepak Talukdar, Zonal Engineer (Deemed PIO) and (2) Sri Khadyot Gogoi, Assistant Engineer, GMC.

The PIO of GMC vide letter No.GMC/RTI/FAA/56/2019 dated 2.3.2020 informed this Commission that the FAA heard the matter and an order was passed on 6.12.2019 directing the Associate Planner, GMC to furnish the information to the petitioner as sought for by him within seven days. The letter of the PIO of GMC is entered into the case records.

The deemed PIO & Zonal Engineer of GMC submitted a written statement dated 5.3.2020, which is entered into the case records. On perusal of the WS it appears that the deemed PIO has furnished copy of site plan and inspection report. But information with regard to the note sheet and the copies of the documents, which involve third party information, and therefore, those, could not be provided.

The petitioner informed the Commission orally that he received a telephonic call from the SPIO on 5.3.2020 at 4 P.M. in connection with providing some documents to him. But due to short notice he could not attend the office of the GMC.

In view of the above oral information of the petitioner, the Commission advised the petitioner to appear before the SPIO of GMC to collect the documents sought by him. The PIO of GMC is also directed to provide available documents, particularly the relevant part of note sheets, as note sheets of a public office do not come under provision of Section 8(1)(d) of RTI Act, 2005, to the petitioner as sought by him vide his RTI petition dated 31.7.2019 which are also not barred by Section 11 of the RTI Act, 2005. If the petitioner is not satisfied with the information provided by the SPIO of GMC, then he will be at liberty to approach this Commission for redressal of his grievance.

Fix 16.03.2020 at 11.30 A.M. for next date of hearing.

Sd/-
{Dr. A. P. Rout, IPS (Retd.)}
Chief Information Commissioner.

Authenticated true copy

Sd/-
Registrar i/c
Assam Information Commission.

Memo No.SIC/KP(M) 2081/2019

Dated 06.03.2020

Copy to :-

- 1 The SPIO of Guwahati Municipal Corporation, Panbazar, Guwahati 1 for information and necessary action.
- 2 The Deemed PIO & Zonal Engineer of Guwahati Municipal Corporation, Panbazar, Guwahati 1 for information and necessary action.
- 3 Sri Gautam Sen Deka, S/o Late Padma Sen Deka, Kanaklata Road, Narayan Nagar, Bharalumukh, Guwahati 9.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar i/c
Assam Information Commission.