

Case No. : SIC/KP(M).204/2021
Complainant/ Appellant : Shri Arnab Jan Deka.
Respondent : The SPIO, Guwahati Municipal Corporation,
Guwahati, PIN Code 781001, Assam.
Date of Hearing : 11-11-2021
Complaint/ Second
Appeal heard by : Shri Samudra G. Kashyap.
State Information Commissioner, Assam

O R D E R
11-11-2021

1. The appellant Shri Arnab Jan Deka is absent without any intimation.
2. Shri Rajib Neog, SPIO and Associate Planner, Guwahati Municipal Corporation (GMC), and Shri Kapil Dev Choudhury, Zonal Engineer, Guwahati Municipal Corporation (GMC), are present. The Commission also received a written statement No. GMC/RTI/FAA/35/2020/15215 dated 11.11.2021 from the Public Information Officer and Joint Commissioner, GMC, explaining in detail the steps taken by the GMC on the RTI application of Shri Arnab Jan Deka. It has been also contended in the said written statement that there has been no lapse on the part of Public Information Officer, GMC in dealing with the matter, and as such he has prayed that proceedings under Section 20(1) of the RTI Act, 2005, may not be drawn against him. The written statement has been perused and the prayer accepted.
3. The SPIO Shri Rajib Neog, during today's hearing submitted one written statement on the matter. On perusal of the written statement it is seen that the RTI petition of Shri Arnab Jan Deka had sought certain information in relation to alleged violation/deviation from the approved plan of the building of his immediate neighbour during construction, encroachment of government land and encroachment to the landed property of the petitioner. The SPIO has also stated that the GMC referred the matter related to land to the concerned authority i.e. Deputy Commissioner, Kamrup (M), to take necessary action and that a copy of this communication had been already furnished to the petitioner. The SPIO has also stated that all available documents related to the queries of the RTI petition of Shri Arnab Jan Deka had been already furnished. The SPIO Shri Rajib Neog also stated that if the petitioner desires, then GMC can arrange for inspection of the related files and documents by the petitioner during office hours.
4. **In view of the above written and oral statement, the SPIO, GMC, is directed to facilitate inspection of the files and documents related to the RTI queries of the appellant within 15 (fifteen) days from date of receipt of this order. Accordingly the SPIO shall fix a date convenient to the GMC and invite the appellant with enough advance notice to inspect the same. The appellant shall select the particular pages after inspection and submit a list of those pages to the SPIO, GMC, following which the SPIO, GMC, shall provide the appellant with photocopies of those pages within the shortest possible time. Since the original stipulated period for providing information has already expired, as such the information shall be provided free of cost. But in case the informations/documents are voluminous in nature, then only the**

first 100 (one hundred) pages shall be furnished free of cost and the remaining pages shall be furnished after realisation of photocopying charges as applicable. The SPIO shall also submit an Action Taken Report immediately after expiry of the said 15 (fifteen) days.

5. With the above order, this 2nd Appeal is hereby disposed of.

Sd/-
(Samudra G. Kashyap)
State Information Commissioner,
Assam.

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).204/2021/37-A

Dated: 11-11-2021

Copy to:

1. The SPIO, Guwahati Municipal Corporation, Guwahati, PIN Code 781001, Assam, for information and necessary action.
2. The Commissioner, Guwahati Municipal Corporation, Guwahati, PIN Code 781001, Assam, for information.
3. The First Appellate Authority/ Guwahati Municipal Corporation, Guwahati, PIN Code 781001, Assam, for information.
4. The petitioner, Shri Arnab Jan Deka, Principal, Bhabananda Deka Nalini Prava Deka Foundation, 28, Bhabananda Deka Road, Pub Sarania Hillside, P.O. Ulubari, Guwahati, PIN Code 781007, Assam, for information.
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.



Secretary & Registrar
Assam Information Commission.