

OFFICE OF THE  
**ASSAM INFORMATION COMMISSION**

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Case No. : SIC/KPM 359/2022  
Complainant/ Appellant : Shri Harinarayan Pathak  
Respondent : SPIO, Guwahati Metropolitan Development  
Authority, Bhangagarh, Guwahati 05  
Date of Hearing : 08/08/2022  
Complaint/ Second : Dr. A.P.Rout,  
Appeal heard by : State Chief Information Commissioner, Assam

**O R D E R**  
**08/08/2022**

1. The petitioner Shri Harinarayan Pathak has filed one RTI petition before the SPIO, Guwahati Metropolitan Development Authority (GMDA), Bhangagarh, Guwahati on 18.4.2022 seeking following information:
  - (1) Copy of the Public Document vide no. GMDA/DEV/125/2009/216 dated 12.11.2020.
  - (2) Copy of the File Notings together with relevant public documents as referred to in the File Notings, leading to the Public Document, as referred to at the query no. (1) above.
  - (3) Status of the Public Document, as referred to at the query no.1 above in documentary proofs including relevant File Notings & Public Documents, as on 18.4.2022.
2. Reportedly on not being satisfied with the information received, the petitioner filed 1<sup>st</sup> appeal before the 1<sup>st</sup> Appellate Authority, GMDA on 21.5.2022 and in the meantime on 30.5.2022, the SPIO of GMDA has submitted the information to the petitioner.
3. The petitioner then submitted a reminder of 1<sup>st</sup> appeal petition on 17.6.2022 which the Commission thinks is unnecessary exercise and then he filed 2<sup>nd</sup> appeal before the Commission on 11.7.2022.

Accordingly, the matter was taken up for hearing.
4. The petitioner Shri Harinarayan Pathak is present.
5. The Public is represented by Shri Ramani Dhar Sarma, Assistant Executive Engineer, GMDA who is authorized by the SPIO of GMDA Sri Dimbeswar Talukdar, ACS.
6. The SPIO of Guwahati Metropolitan Development Authority (GMDA) has submitted a written statement dated 5.8.2022 which is taken into records.
7. On perusal of the written statement, it is seen that the SPIO vide letter no GMDA/RTI/2022/61/5 dated 14.7.2022 has issued a letter to the petitioner to appear before the SPIO in connection with his 1<sup>st</sup> appeal, the Commission considers it to be inappropriate and contrary to the official norms as the letter could have been issued by the 1<sup>st</sup> Appellate Authority himself or someone authorized by 1<sup>st</sup> Appellate Authority. If at all the SPIO issued the letter, he could have mentioned that he was directed by the 1<sup>st</sup> Appellate Authority to issue the letter and date and time as fixed before the 1<sup>st</sup> Appellate Authority for taking up the hearing.
8. Further the Commission would like to point out that the petitioner should have not gone into such niceties in the official letter and should have gone to the office of 1<sup>st</sup> Appellate Authority to ventilate his grievances and collect the information.

As the information is sought by the petitioner, he has also have the primary obligation to take all necessary steps from getting the information rather than sending the petition to the 2<sup>nd</sup> Appellate level {Commission}.

9. After examining the reply sent and so called deformities of the information provided (the petitioner said in note sheet one pre page in not enclosed),the petitioner is instructed to take little more interest in getting the information either from 1<sup>st</sup> Appellate Authority or SPIO. The Commission also orders the petitioner to visit the office of 1<sup>st</sup> Appellate Authority and get necessary information. The 1<sup>st</sup> Appellate Authority should also facilitate in providing the necessary information.
10. The Commission in enclosing the copy of the RTI petition vide case no. SIC/KPM 367/2022 would like to observe that the petitioner had the pattern and habit of submitting RTI petition just by referring to some letter and asking various questions on that which unless elaborated cannot be construed that information is sought in public interest as he repeatedly mentions larger public interest in all his 2<sup>nd</sup> appeal (copy sample enclosed).
11. The case is disposed off.

Authenticated copies to be given to all concerned.

Sd/-  
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-  
Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).359/2022**

**Dtd. 08.08.2022**

Copy to:

1. The SPIO, O/o the Guwahati Metropolitan Development Authority, Bhangagarh, Guwahati 05 for information.
2. The 1<sup>st</sup> Appellate Authority, O/o the Guwahati Metropolitan Development Authority, Bhangagarh, Guwahati 05 for information.
3. The petitioner Shri Harinarayan Pathak, Padumpukhuri, Uzanbazar, Guwahati 01 for information and necessary action.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar  
Assam Information Commission