



**OFFICE OF THE
ASSAM STATE INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : **SBR.3/2014**

Complainant/ appellant : **Sri Debajyoti Kakoty**

Respondent : **Deputy Commissioner, Kamrup (Metro)**

Date of hearing : **29-02-2016**

Complaint/ Second appeal heard by : **Shri H.S. Das, IAS (Retd)
Chief Information Commissioner, Assam**

O R D E R

The public authority is represented by Smti Esthar Kathar, Additional Deputy Commissioner, Kamrup (Metro). The petitioner is represented by Ms. Tanushree Roy, Advocate.

The second appeal petition dated 11-3-2014 is taken up for hearing in presence of both the parties.

From perusal of the case records, it is seen that the petitioner Sri Debajyoti Kakoty filed an RTI petition dated 7-10-2013 before the PIO of the office of Deputy Commissioner, Kamrup (Metro). The representative of the petitioner deposed before this Commission today that the RTI petition was caused due to the fact that the office of the Deputy Commissioner vide an order dated 1-7-2013 conveyed 'No Objection' to transfer of a plot of land owned by the petitioner to one Smti Pranati Das, although the RTI petitioner Sri Debajyoti Kakoty had never applied for any such sale permission.

From perusal of the case records, it is seen that the first appellate authority had heard the first appeal petition dated 4-12-2013 and passed an order on 12-12-2013 directing the Addl. Deputy Commissioner, Revenue (Sale permission) to give the information to the appellant Sri Debajyoti Kakoty within 15 days. The representative of the petitioner/appellant deposed that till today they have not got the required information and hence the second appeal petition dtd 11-3-2014.

The information sought for by the petitioner vide RTI petition dated 7-10-2013 was - copy of the application No. 9491/13 dated 4-6-2013 along with all documents annexed with the said application in connection with sale of a plot of land measuring 6.69 Are of village Sawkuchi, covered by Dag No-1958 , K.P No. 1042 under Beltola Mouza in respect to File No. KRM.4/2012/20516.

From the case records, it appears that the land transfer permission was given by the Additional Deputy Commissioner, Kamrup (Metro) on 1-7-2013 and that the information sought for by the petitioner has not been furnished till date in spite of clear order dated 12-12-2013 passed by the first appellate authority.

In view of the above, this Commission directs the present Additional Deputy Commissioner, Kamrup, Revenue (Sale permission) **to locate the sought for information and furnish the same to the petitioner within 20 days from the date of receipt of this order** , which was pronounced in her presence.

This Commission also directs the Additional Deputy Commissioner, Revenue (Sale permission), Kamrup (Metro) at the time of passing of the order of the first appellate authority on 12-12-2013 to **show cause as to why appropriate action shall**

not be taken against him under Section 20 of the RTI Act, 2005 for his failure to furnish the required information to the petitioner within the stipulated period of 30 days from the date of receipt of the RTI application and also for his failure to comply with the order dated 12-12-2013 of the first appellate authority. Serve Notice on him through the Deputy Commissioner, Kamrup (Metro). His written submission to reach the Registry of this Commission within 15 days from the date of receipt of this order

Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati

Authenticated true copy.
Sd/-

Registrar
Assam Information Commission

Memo No. **SBR. 3/2014 / -A**

Dtd. 29-2-2016

Copy to:,

1. Smti Esthar Kathar, Additional Deputy Commissioner, Revenue (Sale permission), Kamrup (Metro).for information and necessary action.
2. Sri Debajyoti Kakoty, R/O Sivsagar, Phukan Nagar, P.S- Sivsagar, Dist- Sivsagar, PIN-785640 for information.
3. Computer Section for uploading in the Website.
4. Office File.

**Secretary & Registrar
Assam Information Commission**