



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

Case No. : **KP(M)194/2013**  
Complainant/ appellant : **Sri P. Bezbaruah**  
Respondent : **Deputy Commissioner, Kamrup (Metro)**  
Date of hearing : **14-03-2016**  
Complaint/ Second : **Shri H.S. Das, IAS ( Retd)**  
appeal heard by : **Chief Information Commissioner, Assam**

**O R D E R**

The petitioner Sri P. Bezbaruah as well as the public authority to be represented by the SPIO of Deputy Commissioner, Kamrup (Metro) District both are absent.

From the case records it is seen that the Deputy Commissioner, Kamrup (Metro) District and the First Appellate Authority heard the petitioner's first appeal petition dated 4-9-2012 on 26-11-2012 where the appellant/ applicant was absent. The First Appellate Authority ordered that the Addl. Deputy Commissioner, Land Revenue Branch will look into the matter and submit a report within 15 days.

After several reminders from the SPIO the Additional Deputy Commissioner, Kamrup (Metro) District informed the SPIO vide letter dated 18-7-2013 that the sought for record is not available as the present land sale section records started only from 2010 to till date. The SPIO vide letter dated 19-7-2013 informed the petitioner accordingly.

Another written statement dated 10-3-2016 has been submitted by the SPIO requesting for re-fixation of date, as they are busy with the General Election.

In view of large number of cases pending before this Commission, the second appeal petition dated 4-4-2013 is taken up for consideration, on merit, ex-parte in the absence of the petitioner and the Respondent.

From perusal of the case records, it is seen that the only information/ copy of the document requested by the petitioner vide his RTI application dated 14-7-2012 was a clear readable copy of all the pages containing sale permission in LSP order No. KRM.2/2002/411 dated 11-6-2002

The information/document sought for by the petitioner is clearly a document admissible under the RTI Act, 2005. Therefore, this Commission does not accept the plea of non-availability of an official record which has to be furnished to the petitioner under the RTI Act, 2005.

This Commission, therefore, directs the Deputy Commissioner, Kamrup (Metro) District to pass appropriate orders for retrieval of the sought for records and furnish the same to the petitioner by Registered Post within 20 days from the date of completion of conduct of election i.e 11<sup>th</sup> April, 2016.

With the above order the second appeal petition dated 4-4-2013 is disposed o

**Sd/-**

**(H. S. Das)  
Chief Information Commissioner, Assam  
Panjabari, Guwahati**

**Authenticated true copy.**  
**Sd/-**  
**Registrar**  
**Assam Information Commission**

**Memo No.SIC/KP(M). 194/2013**

**Dtd. 14-3-2016**

1. SPIO of the Office of Deputy Commissioner, Kamrup (Metro) District , Guwahati. For information and necessary action.
2. Sri P. Bezbaruah , B.R. Path, Dibrugarh, , District- Dibrugarh for information and necessary action.
3. Computer Section for uploading in the Website.
4. Office File.

**Registrar**  
**Assam Information Commission**