



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

Case No. : **KP(M)661/2013**

Complainant/ appellant : **Sri P.Bezbaruah**

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

Date of hearing : **21-04-2016**

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 is absent without any information. The public authority to be represented by the SPIO of the office of Deputy Commissioner, Kamrup (Metro) is also absent. The SPIO has sent a written submission dated 20-4-2016 praying for re-fixation of the date of hearing on the ground of her pre-occupation with election duty without mentioning what kind of election duty is keeping her busy after polling was over on 11<sup>th</sup> April, 2016 and before counting of votes on 19<sup>th</sup> May, 2016.

The SPIO has sent another representation dated 18-4-2016 requesting the Deputy Commissioner, Land Records Branch, of the office of the Deputy Commissioner, Kamrup (Metro) to attend today's hearing. She has also requested him to provide necessary information to the applicant directly. But the ADC, Land Records Branch also did not attend today's hearing. Nor it is known if he has sent the sought for information to the petitioner directly, as requested by the SPIO.

The SPIO of Deputy Commissioner, Kamrup (Metro) has sent another written submission dated 19-4-2016 narrating the actions so far taken in connection with the RTI application dated 23-5-2012. The SPIO's written statement dated 19-4-2016 is silent whether the Addl. Deputy Commissioner, Kamrup (Metro) furnished the required information to the petitioner within 15 days from the date of receipt of the order dated 25-7-2012 passed by the Deputy Commissioner, Kamrup (Metro) in his capacity as the First Appellate Authority.

The Commission also observes that the information sought for by the petitioner vide his RTI application dated 23-5-2012 was clear and simple and the First Appellate Authority's direction to the RKG Branch in the office of the Deputy Commissioner, Kamrup (Metro) was without any ambiguity.

In view of the above facts and circumstances of the case this Commission directs the **SPIO and Additional Deputy Commissioner In charge of RKG Branch in the office of the Deputy Commissioner, Kamrup (Metro)** to personally appear on **23-5-2016 at 11 A.M** and submit separate written statement whether the petitioner has been furnished with the sought for information in compliance with Deputy Commission/ First Appellate Authority's order dated 25-7-2012. If the information has not been furnished then their written statement should include an explanation as to why penal actions under Section 20 of the RTI Act, 2005 shall not be initiated against them for their failure to comply with the relevant provisions of the RTI Act, 2005. **Issue notices to them accordingly.**

Issue notice to the petitioner also asking him to confirm in writing on or before 20<sup>th</sup> May, 2016 whether he has in the meanwhile received the required information. Also direct him to appear personally or through his authorized representative on the next date of hearing.

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

**Authenticated true copy.**

**Sd/-  
Registrar  
Assam Information Commission**

**Memo No.SIC/KP(M)/ 661/2013 /**

**Dtd. 21-4-2016**

1. SPIO, of the office of Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati-1 for information and necessary action.
2. Additional Deputy Commissioner, Land Record Branch of the office of Deputy Commissioner, (Kamrup) (Metro) zfor information and necessary action.
3. Additional Deputy Commissioner, Land Revenue (Land Sale) branch of the Office of Deputy Commissioner, Kamrup (Metro) for information and necessary action.
4. Sri P. Bezbaruah, B.R Path, Amolapatty, P.O-Dibrugarh for information and necessary action.
5. Computer Section for uploading in the Website.
6. Office File.

**Registrar  
Assam Information Commission**