



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

Case No. : SIC/SBR.3/2014
Appellant : Sri Debajyoti Kakoty
Respondent : The SPIO, office of the Deputy Commissioner,
Kamrup (Metro)
Date of hearing : 26.04.2016
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
26.04.2016

Both the parties are absent.

On perusal of case record, it appears that the Commission on dated 29.02.2016 directed the present Addl. Deputy Commissioner, 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 the order. The Commission also directed the Addl. Deputy Commissioner, Revenue (sale permission), Kamrup (M) 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. His written submission is to reach the Registry of this Commission within 15 days from the date of receipt of the order.

The Addl. Deputy Commissioner, Revenue (Land sale permission) vide his written statement dated 18.04.2016 has informed that he was aware of the matter only on 10.02.2016 when the notice of hearing of the Second Appeal petition under RTI ACT, 2005 on the case is received, he tried to locate the land and sale proposal along with relating documents pertaining to the issue of No Objection Certificate for sale of land bearing no.9491/2013 dated 01.07.2013 but could not trace the documents from office record. On verification it was confirmed by the Sr. Sub-Registrar, Kamup (M) vide letter dated 16.03.2016 that no sale deed had been executed on the basis of said NOC in the name of Sri Debajyoti Kakoty, Seller and Petitioner in favor of Smt. Pranati Das as purchaser over the plot of land measuring 6.69 Are covering by Dag no.1958, Patta no. 1042 of village Sawkuchi, Beltola Mouza.

Also seen the order of the Deputy Commissioner, Kamrup (M) dated 18.04.2016 wherein the D.C. taking cognizance of the claim made by Sri Debajyoti Kakoty, that he had never applied for the said sale permission and some miscreants without authority had illegally conspired to obtain the land sale permission. The NOC issued vide no. 9491/2013 dated 01.07.2013 had cancelled the sale permission and refrained the parties from executing the same over the schedule of land on the basis of the said NOC.

In view of the circumstances stated above, it appears that the lapse of non furnishing of the information was not intentional and hence, the matter is dropped.

Sd/-
Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

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

Copy to:

1. The SPIO, office of the Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati, Assam, Pin-781001 for information.
2. The First Appellate Authority/ Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati, Assam, Pin-781001 for information.
3. Sri Debajyoti Kakoty, S/o Khireswar Kakoty, Sivasagar, Phukan Nagar, Assam, Pin-785640 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission