



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

Case No. : **KP(M)79/ 2014**

Complainant/ appellant : **Shri Debabrata Banerjee**

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

Date of hearing : **16-7-2016**

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

O R D E R

The petitioner/ appellant Sri Debabrata Banerjee is present. The public authority is represented by :- (1) Smti Protima Rongpipi, Assistant Commissioner, Kamrup (Metro) District.

The complaint petition dated 19-12-2013 is taken up for hearing in presence of both the parties.

The appellant submitted that he has not got any satisfactory reply to his RTI petition dated 20-5-2013. He will be interested in getting direct response to his RTI petition. He has made a written submission requesting for treating his complaint petition dated 19-12-2013 as a second appeal petition. His prayer is granted.

From perusal of the case records it is seen that the petitioner filed an RTI petition dated 20-5-2013 seeking information about allotment of land to Sri Biswajit Roy Choudhury, NSM, a Gallantry Award Winner ex-serviceman.

It is also seen from the case records that Sri Biswajit Roy Choudhury, ex-servicemen filed an application dated 19th October, 1992 before the Deputy Commissioner, Kamrup praying for allotment of a plot of land for setting up an industrial unit, in pursuance of the Govt. policy for allotment of land to Gallantry Award Winners. His application was recommended by the Secretary Zilla Sainik Board, Kamrup, Guwahati vide letter dated 13th November, 1992.

The SPIO of the office of the Deputy Commissioner, Kamrup (Metro) has submitted a written statement dated 11-7-2016 stating that in reply to the RTI petition dated 20-5-2013 was provided letter dated 25-7-2013 which enclosed the required information furnished by the Circle Officer, Guwahati Revenue Circle vide his letter dated 6-7-2013. The gist of the information furnished is that no information regarding allotment of land in favour of Sri Biswajit Roy Choudhury was available with the Circle Officer, Guwahati Revenue Circle.

The petitioner was not satisfied with the above information and therefore he filed a complaint petition dated 19-12-2013 before this Commission which has now been converted into a second appeal petition. It is noted that before filing the second appeal petition the petitioner filed First Appeal petition before the Deputy Commissioner, Kamrup on 30-7-2013 and the Deputy Commissioner in his capacity as First Appellate Authority directed vide order dated 19-10-2013 the Addl. Deputy Commissioner, Land Settlement Branch to furnish point-wise answer to the petitioner in response to his RTI petition.

From the written statement of SPIO it is seen that no further action was taken on the order of the First Appellate Authority. Action taken stops with the letter dated 25-7-2013 stating that no information was available.

The petitioner has also pointed that vide letter No. 2088/92/13 dated 28-9-1993 the Deputy Commissioner, Kamrup wrote to the Guwahati Town Re-settlement Officer. The Deputy Commissioner enclosed the original application of the Gallantry Award Winner Sri Biswajit Roy Choudhury and directed the Land Resettlement Officer to take necessary action and submit a report.

From the available records it cannot be made out whether any report was submitted by the Land Resettlement Officer to the Deputy Commissioner.

However, since the petitioner has in his possession :-

- (a) Copies of the original documents ie., the application dated 19-10-1992 filed by Sri Biswajit Roy Choudhury, Gallantry Award Winner.
- (b) Recommendation letter dated 30th November, 1992 of the Secretary of Zilla Sainik Board, Kamrup, Guwahati and
- (c) Deputy Commissioner, Kamrup (Metro)'s letter dated 28-9-1993 calling for report from the Land Resettlement Officer,

this Commission directs the petitioner to furnish copies of the above documents to the Deputy Commissioner, Kamrup (Metro) within 15 days from the date of receipt of this order and also directs the Deputy Commissioner, Kamrup (Metro) to find out what action was taken by the concerned officials on the letter No. 2088/92/13 dated 28-9-1993 of the Deputy Commissioner, Kamrup and inform the petitioner about action taken on that letter within 60 days from the date of receipt of the above-mentioned documents from the petitioner

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

Authenticated true copy.
Sd/-
Registrar
Assam Information Commission

Memo No.SIC/KP(M) 79/ 2014/53-A

Dated. 16-7-2016

Copy to:

- 1. Smti Protima Rongpipi, Assistant Commissioner, Kamrup (Metro) District, Guwahati-1 for information and necessary action.
- 2. Sri Debabrata Banerjee, 95 A. K. Azad Road, Rehabari, Guwahati-08 for information and necessary action, as above.
- 3. Computer Section for uploading in the Website.
- 4. Office File
- 5. Order Book.

Registrar
Assam Information Commission