

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

Case No. **KP(M) 524/2016**

Complainant/ appellant **:Sri Dwarka Prasad Agarwal**

Respondent **:Circle Officer, Sonapur Revenue Circle.**

Date of hearing **:16-9-2016**

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

O R D E R

The appellant Sri Dwarka Prasad Agarwal is absent but he has authorized his Advocate Ms Dipika Das to represent him. Accordingly Ms Dipika Das , Advocate, is present.. The public authority to be represented by the SPIO of Sonapur Revenue Circle is absent. However, he has sent a written submission dated 14-9-2016 which is entered into the case records.

The second appeal petition dated 12-8-2015 is taken up for consideration ex parte in the absence of the representative of the public authority, but in presence of the Advocate on behalf of the petitioner.

It has been mentioned by the Circle Officer by the Circle Officer in his written submission dated 14-9-2016 that in response to another RTI petition dated 23-4-2015, the Circle Officer, Sonapur Revenue Circle informed the petitioner vide letter dated 25-9-2015 that the office of the Topatoli G.P was located in a plot of land under Dag No. 105 under Mouza Dimoria.

Again in response to his first appeal petition dated 23-5-2015 with reference to the same RTI petition, dated 23-4-2015, the Circle Officer vide letter dated 2-7-2015 informed the petitioner that earlier the local people was occupying the plot of land under Dag No. 105 under village Topatoli, Mouza-Dimoria for construction of a temple, but according to the report of the Lot Mandal and official records the status of the plot of land is recorded as Sarkari land.

The Circle Officer has further mentioned that a separate complaint case No. KP(M).578/2013 relating to the same plot of land was filed by another complainant by the name of Smti Karabi Goswami which was already heard and disposed of by this Commission vide an order dated 16-11-2015.

From the written statement of the Circle Officer of Sonapur Revenue Circle, it is , however, not clear whether Dag No. 105 of Village Topatoli, Mouza- Dimoria comprises land beyond what is under occupation of the office of the Topatoli G.P and or whether the size of

Dag No. 105 of the said village is 2 Bighas, 3 Kathas and 3 Lechas as mentioned in the RTI petitioner more. To allay any doubts in the mind of the petitioner and with a view to give him a clear picture about the status of the said plot of land, this Commission directs the Circle Officer, Sonapur Revenue Circle to allow the petitioner to inspect the relevant original records, like Chitha, Jamabandi and the village map relating to the said plot of land within 15 days from the date of receipt of this order on any working day, during office hours and allow him to take notes and photo copies of relevant documents on payment of Rs. 2/- for every page of photo copy.

With the above order the second appeal petition dated 12-8-2015 is disposed of.

**Sd/-
(H.S.Das)**

**Chief Information Commissioner, Assam
Panjabari, Guwahati**

Authenticated true copy.

**Sd/-
Registrar
Assam Information Commission
Memo No.SIC/KP(M) 524/2016/19-A**

Dated.16-09-2016

Copy to:

1. SPIO of Sonapur Revenue Circle , Sonapur, for information and necessary action
2. Sri Dwarka Prasad Agarwal, 1-C, Royal Silver Tower, Lachit Nagar, Guwahati- 781 007 for information and necessary action as ordered above.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

**Registrar
Assam Information Commission**