

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

Case No. : DBR.20/2015  
Complainant/ Appellant : Md. Alias  
Respondent : Judicial Court, Dibrugarh  
Date of hearing : 22.9.2016  
Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**

22.9.2016

The complainant Md. Alias as well as the public authority to be represented by the PIO of the office of the Chief Judicial Magistrate, Dibrugarh – both are absent. However, a written statement dated 22.9.16 has been received from the appellant which is entered into the case records. Another written statement dated 7.9.16 has also been received from the office of the Public Information Officer & first appellate authority of the office of the District & Sessions Judge, Dibrugarh, which is also entered into the case records. From both the written statements it is seen that vide letter dated 8.1.15, which was wrongly typed as 8.1.14, the petitioner was informed by the Chief Judicial Magistrate cum PIO, Dibrugarh that the information sought for by him can be obtained by following procedure mentioned in the Criminal Rules and Orders. The information sought for by the petitioner are:- (1) certified copy of the judgment passed by Sadar Munsiff, Dibrugarh in TS No. 222/1971 dated 18.11.76 and (2) Decree and Plaint of that suit.

In this connection, it is seen that the information sought for relates to 1976 i.e. 38 years prior to the date of filing the RTI application on 29.12.14. The information sought for being more than 20 years old, it does not fall within the purview of the RTI Act in terms of section 8(3) of the RTI Act, 2005. In any case, under Gauhati High Court Civil and Criminal Rules, the sought for information can be obtained by the petitioner by following the procedure prescribed by the said rules. The petitioner himself has mentioned in his WS that he was informed accordingly by the District & Sessions Judge, Dibrugarh.

In view of the above, the complaint petition dated 21.2.15 filed by the petitioner Md. Alias is found to be without merit and hence it is dismissed.

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

Authenticated true copy.

Sd/-  
Registrar  
Assam Information Commission

- Copy to:
1. The Chief Judicial Magistrate & PIO of the office of the District & Sessions Judge, Dibrugarh for information.
  2. Md. Alias, R/O Kalibari Road, New Market, PO & District- Dibrugarh, Assam for information.
  3. Computer Section for uploading in the Website.
  4. Office File.
  5. Order Book.

Registrar  
Assam Information Commission