



RIGHT TO  
INFORMATION



OFFICE OF THE

## ASSAM STATE INFORMATION COMMISSION

JONAKKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

Case No. : KP(R).3 /2017  
Complainant/ Appellant : Sri Vinod Mandal  
Respondent : Deputy Commissioner, Kamrup (Rural)  
Date of Hearing : 17-2-2017  
Complaint/ Second : Shri H. S. Das, IAS (Retd)  
appeal heard by : State Chief Information Commissioner, Assam

### O R D E R

17-2-2017

The petitioner Sri Vinod Mandal is present. The public authority is represented by :- (1) Smti Gita Sharma, SPIO and Addl. Deputy Commissioner, Kamrup (Rural) , accompanied by (2) Smti Suswapna Kakoty, Circle Officer, Palashbari, (3) Sri Simanta Sarma, Jr. Assistant , of the office of Deputy Commissioner, Kamrup (Rural), and (4) Sri B. Das, Lot Mandal of the office of Deputy Commissioner, Kamrup (Rural).

The second appeal petition dated 9-1-2017 is taken up for hearing in presence of both the parties.

By his RTI petition dated 20-9-2016 the petitioner sought several informations about a plot of land bearing Dag No. 4, patta No. 98 of revenue village Kokjhar of Mouza-Chayani, under Palashbari Revenue Circle.

The SPIO and Additional Deputy Commissioner of Kamrup (Rural) District has submitted a written statement dated 17-2-2017 which is entered into the case records. In her W/S she has stated that the admissible and available informations have already been furnished to the petitioner vide their office letter No. KPE-RTI/15/2015/77 dated 16-2-2017, copy of which was also submitted before this Commission.

The petitioner submitted that he is yet to receive the above communication from the SPIO. On instruction from this Commission a copy of the set of informations sent to him vide letter dated 16-2-2017 was handed over to him by the SPIO again today in presence of this Commission.

The SPIO further submitted that the petitioner is not the recorded pattadar of the said plot of land.. The petitioner himself deposed that he filed the RTI petition on behalf of one Sri Tapan Kalita, son of Sri Basanta Kalita. The petitioner further submitted orally that the relevant patta mentioned in his RTI petition is an ejmali patta. M/s Sun Pharma a large medicinal Company has occupied the land of Sri Tapan Kalita, one of the pattadars of KP No. 98 of Dag No.-4 without any authority. The

petitioner submitted that he filed an RTI petition in public interest in view of the alleged land grabbing by M/S Sun Pharma. To this the Circle Officer of Palashbari Revenue Circle submitted that the registered pattadar may approach her or the Deputy Commissioner, Kamrup (Rural) district if he has any grievance and pray for measurement/demarcation of the land belonging to him and ascertain if his share of land is under any unauthorized occupation of another person, and then seek redressal of his grievance. It also transpired in course of today's hearing that the Assam Land Grabbing (Prohibition) Act, 2010 is applicable in case of unauthorized land grabbing, as alleged by the petitioner.

In view of the above, the second appeal petition dated 9-1-2017 is disposed of with the direction to the petitioner that he may advise the concerned pattadar to file his RTI petition himself if he is in need of any further informations beyond what has been furnished to the petitioner.

With the above order the second appeal petition dated 9-1-2017 is disposed of.

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

**Authenticated true copy**

**Sd/-**  
**Registrar**  
**Assam Information Commission**

**Memo No SIC/ KP(R). 3 /2017/ 22 -A**

**Dated 17-2-2017**

**Copy to:**

- 1) Smti Gita Sharma, SPIO and Addl. Deputy Commissioner, Kamrup (Rural) Assam, for information..
- 2) Smti Smti Suswapna Kakoty, Circle Officer, Palashbari, for information & necessary action.
- 3) Sri Vinod Mandal, Village and P.O- Mirza, District- Kamrup, Assam PIN-781125 for information.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 5) Order Book.

**Registrar**  
**Assam Information Commission**