

Case No. : KP(M).798/2016
Complainant/ Appellant : Sri Sajall Singh
Respondent : Deputy Commissioner, Kamrup (Metro)
Date of Hearing : 07-6-2017
Complaint/ Second : Shri H. S. Das, IAS (Retd)
appeal heard by : State Chief Information Commissioner, Assam

O R D E R

07-6-2017

1. The petitioner/ appellant Sri Sajall Singh is absent without any information. He was absent on the last date of hearing also. The public authority is represented by :- (1) Sri Prasanta Pratim Kathkotia, SPIO and Addl. Deputy Commissioner, Kamrup (Metro) and (2) Sri Nabadeep Pathak, Addl. Deputy Commissioner, Kamrup (Metro).

2. The second appeal petition dated 20-12-2016 is taken up for further consideration in pursuance of this Commission's earlier order dated 11-1-2017 followed by subsequent non-compliance reports dated 18-1-2017 and 2-3-2017 filed by the petitioner.

3. The Addl. Deputy Commissioner, Kamrup (Metro) has filed a written submission dated 6-6-2017 which is entered into the case records. He has mentioned in the W/S that the computer copy of the NOC relating to land sale permission granted by letter No. KRM(M).5/2010/10362 dated 28-12-2011 have already been furnished to the petitioner. However, as orally stated by the Additional Deputy Commissioner, Kamrup (Metro) Sri Pathak the complete application with names of co-pattadars and other enclosures of land sale application No. 13056/11 dated 17-11-2011 could not be furnished to the petitioner as they could not be traced out. He however, enclosed a copy of FIR filed with the Officer-in-Charge, Panbazar Police Station, Guwahati vide letter No. KRM(M).238/2016/151 dated 23-3-2017 reported lising of the relevant office records. Copy of the FIR has also been furnished to the petitioner vide letter No. KRM(M)332/2016/206 dated 6-6-2017.

4. While this Commission appreciates filing of FIR by Additional Deputy Commissioner, Kamrup (Metro) District with the concerned Police Station, It has been observed in course of several RTI application that incidents of irretrievable loss or missing of valuable land records due to unspecified or unknown reasons in Guwahati Kamrup (Metro) District and in Revenue Circle |Offices of the District are becoming quite frequent. Such occurrence involving the property rights of the citizens is a matter of serious concern. It is imperative that such land records are kept in the custody of designated officers and employees in accordance with the relevant provions of Assam Land Revenue Regulation and the Assam Public Records Act, 2002, and such custodians should, therefore be accountable and responsible for the missing

records and documents. This Commission is therefore, of the view that filing of FIRs reporting missing of land record documents in a routine manner does not address the basic issue. **The Deputy Commissioner, Kamrup (Metro) is therefore, directed , under Section 19(8)(a) to cause an inquiry by an officer , not below the rank of Additional Deputy Commissioner, into the cause of missing records, including this case, in his office as well as in the Revenue Circle offices under his jurisdiction and fix responsibilities where it should lie, followed by disciplinary actions as well as actions under Section 9 of the Assam Public Records Act, 2002, and report compliance to this Commission within a period of four (4) months i.e., on or before 6-10-2017.**

5. Fix **9-10-2017 at 12.00 Noon** for review of action taken.

Sd/-

(H. S. Das)
State Chief Information Commissioner,
Assam

Authenticated true copy

Sd/-

Registrar
Assam Information Commission

Memo No SIC/ KP(M) 798/2016 / 67 -A

Dated 07-6-2017

Copy to:-

- 1) Sri Prasanta Pratim Kathkotia, SPIO and Addl. Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati-1 for information and necessary action, as ordered above..
- 2) Sri Sri Nabadeep Pathak, Addl. Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati-1 for information and necessary action, as ordered above..
- 3) Smti Barnali Misra, Information and Public Relations Officer, Assam Information Commission, Panjabari, Guwahati-37 for information and necessary action.
- 4) Sri Sajall Singh,, S/O Sri Gurudev Singh, Ohid Market, Near Hasana Complex, G.S. Road, Fancy Bazar, P.O- Panbazar, Guwahati-1, for information.
- 5) Computer Section for uploading in the Website.
- 6) Office file.
- 7) Order Book.

Registrar
Assam Information Commission.