



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

Case No. : SIC/DHR.66/2017  
Appellant : Shri Saman Ali Sk  
Respondent : The SPIO, O/o the Assistant Settlement Officer, Bilasipara  
Revenue Circle, Dhubri  
Date of hearing : 07.08.2017  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
07.08.2017

The Appellant, Shri Saman Ali Sk is present.

The SPIO is absent. However, a Written Statement dated 01.08.2017 has been received from the Assistant Settlement Officer, Bilasipara Revenue Circle, Bilasipara.

Heard the Appellant. He submitted that he has not received any further information after filing of the Second Appeal.

Perused the Written Statement. It has been submitted that the case records were available in the office and the Appellant was informed about it through a letter dated 03.02.2017.

Perused the case record. It is seen that though his Application dated 26.12.2016, the Appellant had sought certified photocopies of the order of settlement dated 08.07.1994 in respect of case no. 20(B)/1993-94. Through a letter dated 03.02.2017, as mentioned in the Written Statement, the ASO, Bilasipara Revenue Circle informed the Appellant that the case records could not be traced and therefore no copy of the order could be provided.

The Appellant submitted that land records were permanent records, the Public Authority declaring any of it as untraceable was not acceptable, and that he suspected manipulation and deliberate misplacement of the relevant records.

The ASO, Bilasipara Revenue Circle has not apprised the Commission as to what action was taken to trace the relevant records and to fix responsibility on official(s) responsible for missing of such important documents.

After a careful consideration of the submissions, the Commission hereby concludes that the Public Authority should be able to furnish the information sought for and stringent action should be taken against official(s) responsible for the said loss/misplacement. The Commission therefore hereby orders that the ASO, Bilasipara Revenue Circle shall have the matter inquired into formally and take necessary action to trace the records, furnish the information and take penal action on official(s) responsible for the failure to furnish the information to the Appellant in time. The ASO, Bilasipara Revenue Circle may complete the entire exercise within 3 weeks' of receipt of this order.

Further, the Commission is of the view that the Deputy Commissioner, Dhubri ought to look into the serious matter of allegation by the Appellant about manipulation/deliberate misplacement of the documents whose certified photocopies he has sought under the RTI Act, 2005.

The Second Appeal is hereby disposed of. However, the Appellant shall be at liberty to move this Commission, if he is aggrieved by the response of the SPIO.

Sd/-  
Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy

Sd/-  
Joint Registrar  
Assam State Information Commission

Memo No. SIC/DHR.66/2017

Dtd.07.08.2017

Copy to:

1. The SPIO, O/o the Assistant Settlement Officer, Bilasipara Revenue Circle, Dhubri, Assam for information and necessary action.
2. The First Appellate Authority/Deputy Commissioner, Dhubri, Assam for information.
3. The Appellant, Shri Saman Ali Sk, S/o- Kachimuddin Sk, Krishnanagar, Ward No. 14, PO & PS- Bilasipara, Dist- Dhubri, Pin- 783 348, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam State Information Commission





