

**OFFICE OF THE  
ASSAM INFORMATION COMMISSION****JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037**Phone : (0361) 2332704, 2337900, 2331193 :: Fax : 2332704 :: email : secretary.sicassam@gmail.com

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**Case No.** : **KP(R). 14/2017**  
**Complainant/ Appellant** : **Sri Biswajit Debnath**  
**Respondent** : **Circle Officer, Lanka Revenue Circle, Hojai**  
**Date of Hearing** : **17-8-2017**  
**Complaint/ Second** : **Shri H. S. Das, IAS (Retd)**  
**appeal heard by** : **State Chief Information Commissioner, Assam**

**O R D E R**  
**17-8-2017**

1. The appellant/petitioner Sri Biswajit Debnath is present accompanied by one Sri Dulal Debnath to assist him. The public authority is represented by Sri Garga Mohan Das , Circle Officer, Lanka Revenue Circle , Hojai , accompanied by Sri Binod Kalita, S.K, of the office of the Circle Officer, Lanka Revenue Circle, Hojai.
2. The second appeal petition dated 3-5-2017 is taken up for hearing in presence of both the parties with reference to the RTI petition dated 31-10-2016 filed by the petitioner Sri Biswajit Debnath before the Circle Officer, Lanka Revenue Circle.
3. After hearing both the parties and perusing the RTI petition it appears that the petitioner and three others purchased a plot of land measuring 4 Kathas in village- Pipulpukhuri, Mouza- Kaki, Revenue circle- Lanka in the District of Hojai, Assam in 2006 from one Late (Smti) Vinod Kaur, wife of Late pattadar Manjit Singh. The then Circle Officer also approved field mutation of the plot of land in the year 2014 in favour of the petitioner and three others.
4. It also transpired in course of today's hearing that the area of the dag from which 4 kathas of land were purchased by the petitioner and three others was 49B and a few kathas. The same 4 kathas of land was already sold by the pattadar Late Manjit Singh to one Sri Nimai Ch. Das, who was in possession of the said 4 katha plot of land. This appears to have led to litigation and counter litigation which are now pending before the Civil Court.
5. Subsequently, however, the successor Circle Officer passed order dated 13-2-2017 for cancellation of the field mutation, which was done on 11-4-2014 although this cancellation order is yet to be implemented , resulting in a situation where the petitioner and the three others had their registered land purchase deeds with them and mutation of the purchased land in their names but without physical possession of the land in question. The petitioner has meanwhile filed an appeal petition before the Deputy Commissioner against the cancellation order. Hence, the position as on today appears to be that the petitioner and three others have their names in the Jamabandi and Chitha, but they do not have possession of the land purchased by them. The

petitioner and three others want possession of the land which they purchased in the year 2006. This is the main grievance of the petitioner.

6. The instant RTI petition dated 3-10-2016 and the subsequent appeal petitions have arisen out of this grievance. The same petitioner Sri Biswajit Debnath had filed several other second appeal cases concerning the same plot of land before this Commission. They are :-KP(R) 7/2017, KP(R) 15/2017 which have already been disposed of. Two other second appeal cases bearing numbers :- KP(R)19/2017 and KP(R).20/2017 are also pending before this Commission. The instant RTI petition dated 31-10-2016 runs into ten (10) pages containing thirty six (36) points against which the petitioner wants various informations. Such RTI applications appear to be in exercise of excessive and vexatious litigations and counter-litigations that will disproportionately divert the resources of the public authority concerned, as mentioned at Section-7(9) of the RTI Act, 2005.
7. The Circle Officer suggested that if the petitioner applies for demarcation of their purchased land, he can take necessary action as per revenue Rules, Regulation and procedure, and that should meet the requirement of the RTI petition.
8. The petitioner Sri Biswajit Debnath also made a written submission stating that if the demarcation of the land purchased by him and three others is done by the Circle Officer, then the requirement of his RTI petition dated 31-10-2016 will be met.
9. In view of the above, the petitioner is directed to submit his application before the Circle Officer, Lanka Revenue Circle within seven (7) days from the date of receipt of this order, which was pronounced in presence of both the parties.
10. In view of the above, the 2<sup>nd</sup> appeal petition dated 3-5-2017 is disposed of.

**Sd/-**

**(H. S. Das)**

**State Chief Information Commissioner,  
Assam**

**Authenticated true copy**

**Sd/-**

**Registrar**

**Assam Information Commission**

**Copy to:-.**

- 1) Sri Garga Mohan Das, Circle Officer, Lanka Revenue Circle, Hojai for information and necessary action, as ordered above.
- 2) Sri Biswajit Debnath, IIT Guwahati Campus, A & B type residence, Quarter No.- B-133, Guwahai-781039 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.**