

**OFFICE OF THE  
ASSAM INFORMATION COMMISSION****JONAKKEE 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).19/2017**  
**Complainant/ Appellant** : **Sri Ranjit Debnath**  
**Respondent** : **Circle Officer, Lanka Revenue Circle.**  
**Date of Hearing** : **30-10-2017**  
**Complaint/ Second** : **Shri H. S. Das, IAS (Retd)**  
**appeal heard by** : **State Chief Information Commissioner, Assam**

**O R D E R**  
**30-10-2017**

1. The appellant/petitioner Sri Ranjit Debnath is represented by his authorized representative Sri Biswajit Debnath. The public authority is represented by Sri Garga Mohan Das, ACS, Circle Officer, Lanka Revenue Circle, Lanka, Hojai accompanied by Sri Jalal Ahmed Sr. Assistant of the office of the Deputy Commissioner, Hojai.
2. The second appeal petition dated 8-8-2017 is taken up for consideration in presence of both the parties.
3. From perusal of the case records it is seen that Sri Ranjit Debnath the petitioner filed an RTI petition dated 18-3-2017 before the SPIO of the office of Deputy Commissioner, Hojai, Sankardev Nagar, seeking informations on a complaint petition filed by one Sri Biswajit Debnath before the Deputy Commissioner, Hojai vide consignment No. RS017930084IN of India Post.
4. It is seen from the case records that the RTI petition was transferred by the PIO of Deputy Commissioner's office to the branch assistant (Issue and Receipt) vide letter dated 23-3-2017 with a copy to the petitioner. The petitioner Sri Ranjit Debnath was informed by the PIO of Deputy Commissioner's office vide letter dated 18-4-2017 of the receipt of the complaint petition along with copies of the receipt and dispatch register.. The said information was received by the petitioner Sri Ranjit Debnath under his signature. Thereafter the petitioner filed his first appeal petition before the Deputy Commissioner, Hojai vide his application dated 24-4-2017. It is seen from the case records that the Deputy Commissioner fixed 17-5-2017 for hearing of the first appeal petition. But there is no record of any order having been passed by the First Appellate Authority.
5. The Additional Deputy Commissioner (Revenue) of Hojai informed the petitioner vide his letter dated 11-5-2017 that his complaint petition was not found in the Settlement branch and the search for the same is going on.
6. In course of today's hearing the Sr. Assistant of the office of Deputy Commissioner, Hojai Sri Jalal Ahmed stated that at present he is dealing with RTI

matters in the Settlement Branch. After filing of RTI petition and the First Appeal Petitions by the petitioner the Sr. Assistant Sri Jalal Ali tried to locate the original complaint petition dated 26-7-2016 filed by Sri Biswajit Debnath on which action seemed to have been pending. Not being able to locate the original complaint petition, he personally contacted the then Jr. Assistant Sri Sekhar Jyoti Bora in a bid to trace out the complaint petition. Sri S.J.Bora informed the PIO vide a letter dated 11-5-2017 that the original complaint petition is recorded to have been received in the Settlement Branch , but it could not be traced out. The Sr. Assistant Sri Jalal Ali submitted a copy of Sri S. J. Bora's letter dated 11-5-2017 before this Commission which is entered into the case records.

7. After the original complaint petition filed by Sri Biswajit Debnath could not be traced out, the Additional Deputy Commissioner, (Revenue) of Hojai, Sankardev Nagar vide his letter No. HJRS.108/2016/485 dated 25-10-2017 informed the O.C of Lanka Police Station about the missing documents and requested him to cause an investigation and submit a report. The Sr. Assistant submitted orally that no report has yet been received from the O.C of Lanka Police station till today.

8. Under the above circumstances the petitioner seems to have two options , either :-

- (i) To wait for the police report and penal action, if any, or
- (ii) Submit a copy of the original complaint petition dated 26-7-2016 by Sri Biswajit Debnath who is a third party so far as the instant case is concerned to the Deputy Commissioner for taking necessary action

9. The petitioner is therefore, directed to take necessary action as he deems fit and proper.

10. With the above order the second appeal petition date 8-8-2017 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, ACS, Circle Officer, Lanka Revenue Circle, Lanka, Hojai for information & necessary action.
- 2) Sri Ranjit Debnath ,C/o Sri Biswajit Debnath, IIT, Guwahati Campus, A&B Type residence, Quarter No-B-133, IIT, Guwahati Sub Post Office, Guwahati-39 for information and necessary action.
- 4) Computer Section for uploading in the Website.
- 5) Office file.
- 6) Order Book.

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