

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

Case No. : KP(M).391/2017
Complainant/ Appellant : Mr. Swapan Barman
Respondent : Deputy Commissioner, Kamrup (M), Guwahati-1
Date of hearing : 11.10.2017
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

11.10.17

1. The petitioner Shri Swapan Barman is present. The public authority is represented by :- (1) Shri Prasanta Protim Kathkotia, Addl. Deputy Commissioner, Kamrup (M) & SPIO of the office of the Deputy Commissioner, Kamrup (M) and (2) Shri Ranjit Konwar, Circle Officer (CO), Dispur Revenue Circle. The second appeal petition dated 30.5.17 is taken up for consideration in presence of both the parties in pursuance of this Commission's previous order dated 7.9.17.
2. At the outset the petitioner Shri Swapan Barman submitted a copy of the written statement dated 11.10.17 enclosing a copy of an undertaking signed purportedly by the legal heirs of Late Mahendra Kalita authorizing Shri Swapan Barman, advocate to follow up, including filing of RTI application, problems relating to the plot of land mentioned in the RTI petition dated 17.5.16. His application is entered into the case records.
3. From perusal of the case records it is seen that the petitioner's RTI application dated 17.5.16 was submitted before the SPIO of the office of the Deputy Commissioner, Kamrup (M). The RTI application sought informations against 7 points. The land record branch of DC's office furnished a reply to the petitioner vide letter dated 6.7.16. Clear informations were furnished against point no. 2 & 7 of the RTI petition. Against point no. 1, the petitioner was informed that the case records of mutation case no. 532/1971-72 could not be traced out, but search is on. Against point no. 3, 4, 5 and 6, the petitioner was informed that the relevant informations will be available in the office of the CO, Dispur Revenue Circle. Vide an order dated 29.11.16 the DC, Kamrup (M) in his capacity as first appellate authority directed the CO of Dispur Revenue Circle to furnish the informations to the petitioner within 15 days.
4. The CO, Dispur Revenue Circle vide letter dated 3.3.17 informed the petitioner against point no. 1, 3, 4, 5 and 6 of the RTI petition, point no. 2 and 7 already having been settled. Against point no. 1 CO also mentioned that the relevant records of mutation case no. 532/1971-72 could not be traced out in his office also. The petitioner produced over-written photocopy of Jamabandi where case no. 532/1971-72 is mentioned. In the same same paragraph dated 6.2.77 of the over-written copy of the Jamabandi it is mentioned that a plot of land measuring 2 kathas under dag no. 1482 of patta no. (old) 355 was mutated in the name of Shri Mahendra Kalita together with one Smti. Lilabati Choudhury on the basis of land sale deed. The SPIO of Kamrup (M) DC's office and the CO, Dispur Revenue Circle

(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Copy to:

1. The SPIO of the office of the CGM (HR), APDCL, Bijuli Bhawan, Paltanbazar, Guwahati-8 for information.
2. The Sub-Divisional Engineer, Fancy Bazar Electrical Sub-Division, Fancy Bazar, Guwahati-1 for information.
3. Mr. Almash Abu Bakkar, R/O of Dr. Ayaz Arcade, Kamarpatty Road, Fancy Bazar, Guwahati-1 for information.
4. Computer Section for uploading in the Website.
5. Office File.
5. Order Book.

Registrar
Assam Information Commission