

**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

Case No. : KP(M)985/2017
Complainant/ Appellant : Sri Dulal Bora
Respondent : Revenue and Disaster Management Deptt.
Date of Hearing : 29-1-2018
Complaint/ Second appeal heard by : Shri H. S. Das, IAS (Retd)
State Chief Information Commissioner, Assam

O R D E R
29-1-2018

1. The appellant/petitioner Sri Dulal Bora is absent. The public authority is represented by Sri Ananda Kr. Das, Deputy Secretary and SPIO of Revenue and Disaster Management Department. No request for deferment of hearing has been received from the petitioner. His second appeal petition dated 24-7-2017 is , therefore, taken up for consideration ex-parte in his absence.
2. From perusal of the case records it is seen that the petitioner filed a complaint petition dated 26-10-2015 addressed to the Chief Secretary to the Govt. of Assam, requesting for an inquiry into the allegedly irregular mutation of a plot of land at Chachal area of Guwahati city by two persons, namely Sri Dipak Das and Sri Gokul Goswami and construction of an apartment building named 'Alok Residency'. He followed it up by a complaint petition mentioned above by an RTI petition dated 9-8-2016 addressed to the Chief Secretary. By his RTI petition he sought three informations:-
 - (a) The number of the file from which inquiry was ordered into the allegations mentioned in his complaint petition dated 26-10-2015. Name of the Inquiry Officer with his designation ;
 - (b) names and addresses of the persons mentioned in the complaint petition dated 26-10-2015, and
 - (c) photo copy of inquiring officer submitted by the Inquiry report submitted by the Inquiry Officer to his higher authorities.
3. It is noted that information regarding point 2(b) above is already mentioned in the complaint petition. Therefore, 2(a) and 2(c) are taken up for consideration.

4 It is seen from the case records that the RTI petition was forwarded by the SPIO of Chief Secretary, Govt. of Assam to the Deputy Secretary and SPIO of Revenue and Disaster Management Department, with information to the petitioner Sri Dulal Bora, vide letter dated 19th August, 2016. The SPIO of the office of Chief Secretary to the Govt. of Assam had submitted a written statement dated 15th December, 2017, stating that both the RTI petition and first appeal petition dated 16-5-2017 were since forwarded to the Revenue and Disaster Management Department.

5. The SPIO and Deputy Secretary, Revenue and Disaster Management Department has submitted a written statement dated 29-1-2018 narrating sequentially the actions taken by them on the RTI petition dated 9-8-2016, with supporting documents as enclosures. Vide their letter dated 12th November, 2015, copy of which was marked to the petitioner Sri Dulal Bora also, the Deputy Secretary and SPIO of Revenue and Disaster Management Department requested the Deputy Commissioner, Kamrup (Metro) to take necessary action on the complaint petition dated 26-10-2015 which was submitted by the petitioner to the Chief Secretary. By a subsequent letter dated 26-9-2016 the SPIO and Deputy Secretary, Revenue and Disaster Management Department again informed the petitioner that a report has been sought for from the Deputy Commissioner, Kamrup (Metro) and that the report was still awaited. Thereafter vide letter dated 17th February, 2017 the SPIO and Deputy Secretary again wrote to the Deputy Commissioner, Kamrup (Metro), with a copy to Sri Dulal Bora, the petitioner to furnish the sought for information directly to the petitioner. In the absence of the petitioner it could not be ascertained whether he has since received any information from the Deputy Commissioner, Kamrup (Metro).

6. Under the facts and circumstances of the case the SPIO and Deputy Secretary of Revenue and Disaster Management Department is directed to furnish the following informations to the petitioner within 30 days from the date of receipt of this order :-

- (i) Whether any inquiry has been ordered into the allegations made by the petitioner in his complaint petition dated 26-10-2015 addressed to the Chief Secretary ;
- (ii) If no inquiry has been ordered then the petitioner may be informed accordingly, and

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- (iii) If any inquiry was ordered then the name and designation of the Inquiry Officer, whether any report has since been submitted, and if so, to furnish a copy of the inquiry report to the petitioner.

With the above order the second appeal petition dated 24-7-2017 is disposed of.

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

Authenticated true copy
Sd/-
Registrar
Assam Information Commission

Memo No SIC/ KP(M). 985/2017/

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Dated 29-1-2018

Copy to:-

- 1) Sri Ananda Kr. Das, Deputy Secretary and SPIO of Revenue and Disaster Management Department, Dispur , Guwahati-6 for information and necessary action as ordered above.
- 2) Sri Dulal Bora , Koinadhara Tiniali, House No-118, Khanapara, Guwahati-22 for information
- 3) Computer Section for uploading in the Website.
- 4) Office file.
- 5) Order Book.

**Registrar
Assam Information Commission.**