



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

Case No. : DBR.07/2018
Complainant/ Appellant : Sri P. Bezbaruah
Respondent : Revenue & Disaster Management Department, Govt.
of Assam
Date of hearing : 11.6.2018
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

11.6.18

1. The petitioner Sri P. Bezbaruah is absent. The public authority is represented by Sri Ananda Kumar Das, SPIO and Deputy Secretary, Revenue & Disaster Management Department, Govt. of Assam.
2. The second appeal petition dated 11.2.2018 is taken up for hearing ex-parte in the absence of the petitioner. It is recorded that the petitioner has sent a written communication dated 6.6.18 stating that due to unavoidable circumstances he is not in a position to appear before this Commission today. It is also noted that the same petitioner had filed several RTI applications earlier also and he has never attended the hearings before this Commission, leading to ex-parte disposal of his applications.
3. In the present case also the appellant has requested to take necessary action as deemed fit and dispose of the second appeal petition in his absence on the basis of his written communication dated 6.6.18. Accordingly, the second appeal petition dated 11.2.18 is taken up for hearing and disposal ex-parte.
4. From perusal of the case records it is seen that the petitioner Sri P. Bezbaruah filed an RTI petition dated 2.5.17 before the SPIO of Revenue and Disaster Management Department, Govt. of Assam. Prior to that the petitioner filed a petition dated 5.5.14 to the Hon'ble Chief Minister of Assam alleging forgery, registration of bogus documents, fraudulent mutation and repeated sale and purchase of myadi patta land with house belonging to the petitioner Sri P. Bezbaruah and his family by some land grabbers allegedly in connivance with Revenue officials of the office of the Deputy Commissioner, Kamrup (M). The RTI petition also mentions of letter No. CMO.04/2014/1022 dated 30.6.14 of the Addl. Secretary, Chief Minister's office to the Addl. Chief Secretary, Revenue and Disaster Management Department forwarding the above mentioned petition dated

5.5.14. By his RTI petition, the petitioner wanted to know what action has been taken by the Revenue & Disaster Management Department and its present status.

5. The SPIO and Deputy Secretary of Revenue & Disaster Management Department has submitted a detailed statement narrating the actions taken in the matter enclosing several documents. It appears from the statement of the SPIO that the same petitioner has filed several RTI petitions on the same or more or less the same matter which appears to have created confusion in dealing with the matter in the Revenue and Disaster Management Department. It also appears that the petitioner does not appear when his presence is requested at the time of hearing the first appeal petitions. Such multiple RTI petitions and absence at the time of hearings creates confusion and difficulties for the public authorities as well as the appellate authorities in furnishing properly responsive information to the petitioner.

6. **The same petitioner has also been filing several other RTI and appeal petitions relating to land disputes before other public authorities and also before this Commission. To avoid confusion in future the petitioner is hereby directed to avoid this practice of filing multiple RTI petitions on same or, more or less same issues. Further, he is also directed to remain present at the time of hearing of his appeal petitions by the first appellate authority or by the second appellate authority. If, for any reason he himself is unable to attend, then he is directed to depute his authorized person so as to facilitate effective and expeditious disposal of his RTI appeal petition.**

7. Coming to the instant second appeal case no. SIC/DBR.07/2018, the present position as it appears from the statement dated 11.6.18 submitted by the SPIO and Deputy Secretary of Revenue and Disaster Management Department is that the Inspector General of Registration of Assam is yet to submit his report to the Revenue and Disaster Management Department in the matter, even after lapse of four years. **This Commission, therefore, directs the Inspector General of Registration, Govt. of Assam to submit final report of his inquiry into the matter as was directed by the Revenue and Disaster Management Department vide letter No. REGN.58/2014/3 dated 10.6.14 followed by reminders dated 30.6.2014 and 23.3.15 – within 30 days from the date of receipt of this order. The Revenue and Disaster Management Department, Govt. of Assam is directed to take necessary action on the report within another 30 days from the date of receipt of inquiry report from the Inspector General of Registration, Govt. of Assam and furnish information regarding action taken to the petitioner within another 15 days thereafter. The SPIO of Revenue and Disaster Management Department, Govt. of Assam is directed to inform the Registry of this Commission about action taken by the Disaster Management Department on or before 10th September, 2018. Put up for review of action taken on the 10th of September, 2018.**

8. In this Connection, this Commission would like to put on record that it has been receiving several RTI cases relating to land grabbing, especially in Guwahati city, with allegations of involvement of government functionaries, including police and revenue officials. Taking cognizance of seriousness of the matter and frequent occurrence of incidence of land grabbing, the Govt. of Assam enacted "The Assam Land Grabbing (Prohibition) Act, 2010", making land grabbing a cognizable offence. In view of the larger public interest involved and with a view to informing the public in general about the status of implementation of the Act and in exercise of powers under sections 19 (8) (a) and 19 (8) (a) (iii) of the RTI Act, 2005 read with sections 4(1) (a), 4(1) (c), 4(1) (d) and 4(2) of the said Act, the Commissioner of Police, Guwahati city .is directed to provide within 30 days from the date of receipt of this order, suo motu , through their website, the following detailed informations up-to-date since coming into force of the Assam Lands Grabbing (Prohibition) Act, 2010 relating to :-

- (a) The total number of land grabbing cases reported in different thanas of Guwahati city since The Assam Land Grabbing (Prohibition) Act, 2010 came into force;
- (b) The number of police cases registered ;
- (c) Number of cases presently under investigation;
- (d) The number of cases referred to the Special Tribunal set up for the purpose.
- (e) Number of cases disposed of by the Special Tribunal showing the number of acquittals and number of convictions.

9. The SPIO of the office of Commissionerate of Police, Guwahati City is directed to inform the Registry of this Commission about compliance of the above order before the next date of hearing.

10. **Fix 10th September, 2018 for next hearing.**

11. **Issue notices to the SPIOs of:-**

- (a) Revenue and Disaster Management Department
- (b) office of the Inspector General of Registration, Govt. of Assam
- (c) office of the Commissioner of Police, Guwahati -for their attendance on the next date of hearing.

Sd/-

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

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/DBR.07/2018/46

Dated. 11.6.2018

- Copy to:
1. The Chief Secretary to the Govt. of Assam, Dispur, Guwahati-6 for information.
 2. The Addl. Chief Secretary to the Govt. of Assam, Home & Political Department, Dispur, Guwahati-6 for information.
 3. The Addl. Chief Secretary to the Govt. of Assam, Revenue & Disaster Management Department, Dispur, Guwahati-6 for Information
 4. The Private Secretary to the Chief Minister, Assam, Janata Bhawan, Dispur, Guwahati-6 for kind information of the Hon'ble Chief Minister.
 5. The Deputy Secretary and SPIO of Revenue & Disaster Management Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
 6. The SPIO of the office of the Commissioner of Police, Guwahati City, Guwahati-1 for information and necessary action.
 7. The SPIO of the office of the Inspector General of Registration, Govt. of Assam, Rupnagar, Guwahati-5 for information and necessary action.
 8. The Deputy Commissioner, Kamrup (M), Guwahati-781 001 for information.
 9. The Director of Information & Public Relations, Govt. of Assam, Dispur, Guwahati-6 for information.
 10. Sri P. Bezbaruah, B.R. Path, PO- Dibrugarh, Assam, PIN- 786001 for information.
 11. Computer Section for uploading in the Website.
 12. Office File.
 13. Order Book.

Registrar i/c
Assam Information Commission