



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

Case No. : KP(M).357/2017
Complainant/ Appellant : Sri Ismile Hussain
Respondent : District Registrar (Registration), Kamrup (M)
Date of hearing : 4.7.2018
Complaint/ Second : Shri H. S. Das, IAS (Rtd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R

4.7.18

1. The petitioner Sri Ismile Hussain is present. The concerned public authority is represented by:- (1) Sri A.K. Das, ACS, SPIO and Deputy Secretary, Revenue & Disaster Management Department, Govt. of Assam and (2) Sri N. Bora, Under Secretary and SPIO of the office of the Chief Minister's Secretariat accompanied by Sri Probalyoti Medhi, Sr. AA of Chief Minister's Secretariat (CMS). The petitioner's application dated 16.2.18 complaining non-compliance of this Commission's earlier order dated 3.7.17 is taken up for consideration in presence of both the parties.

2. From perusal of the case records it is seen that the SPIO of the CMS in compliance of this Commission's order dated 3.7.17 informed the petitioner Sri Ismaile Hussain vide letter dated 30.7.17 that both his complaint petition dated 8.7.17 and RTI petition dated 1.3.17 were transferred to Revenue and Disaster Management (R&DM) Department, Government of Assam. But there is no mention in the aforesaid letter whether any inquiry was ordered or advised by the CMS. Today dated 4.7.18, the SPIO of the CMS submitted another WS stating that no inquiry was ordered from their end.

3. The SPIO of R&DM Department has submitted a separate written statement dated 29.6.18 with supporting documents stating the actions taken by them. In compliance of this Commission's order dated 3.7.17, the SPIO and Deputy Secretary of the R&DM Department informed the petitioner vide letter dated 7.5.18 regarding actions taken by them on the complaint petition dated 8.2.17 and the RTI petition dated 1.3.17. From the enclosed papers it is seen that the R&DM Department requested the District Registrar (Registration), Kamrup (M), Guwahati to make an inquiry into the matter. This was followed by three reminders. However, this Commission notes that the District Registrar (Registration), Kamrup (M) was asked to inquire into the matter by a letter dated 17.8.16, whereas the petitioner's complaint petition was dated 8.2.17. The SPIO of CMS showed this Commission an office copy of complaint petition dated 8.2.17 submitted by the petitioner and the RTI petition dated 1.3.17, which were forwarded to the Principal Secretary, Revenue and Disaster Management Department for taking necessary action. Obviously there has been some discrepancy. The SPIO and Deputy Secretary of R&DM Department is, therefore, directed to reconcile his records and inform the petitioner within 15 days from the date of receipt of this order, the present position of action taken by the Department on the complaint petition dated 8.2.17 and RTI petition dated 1.3.2017

4. The petitioner Sri Ismile Hussain submitted orally that the complaint petition dated 8.2.17 related to sale of a plot of land belonging to Janasakti Co-operative Society by the President of the Co-operative Society without following the required formalities. He also submitted orally that the matter was already inquired into by the Registrar of Co-operative Societies, Govt. of Assam and that irregularities were committed in the sale of the said Co-operative Society's land was brought out by an

inquiry report dated 8.1.15 submitted by the Addl. Registrar of Co-operative Societies (G), Assam and in an order dated 8.3.16 passed by Sri S.K. Gogoi, IAS, Registrar of Co-operative Societies, Assam.

5. From perusal of the complaint petition dated 8.2.17 it is seen that the main allegations were that at the time of giving land sale permission and registration of the sale deed, there were lapses on the part of the concerned authority. The Disaster Management Department, Government of Assam is therefore, directed to look into the matter and issue necessary instruction to the Deputy Commissioner (M) and District Registrar (Registration), Kamrup (M) for taking necessary action accordingly.

Put up at 2.30 PM on 01.08.2018 for review of action taken.

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

Authenticated true copy.

Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/KP(M).357/2017/

Dated. 4.7.2018

Copy to:

1. The Deputy Secretary and SPIO of Revenue & Disaster Management Department, Govt. of Assam, Dispur, Guwahati-6 for information and necessary action.
2. The Deputy Commissioner, Kamrup (M), Panbazar, Guwahati-1 for information and necessary action.
3. The Registrar of Co-operative Societies, Govt. of Assam, Khanapara, Guwahati-22 for information and necessary action.
4. The District Registrar (Registration), Kamrup (M), Guwahati-1 for information and necessary action.
5. Sri Ismile Hussain, Jyotishree Nagar (Jyotikuchi), PO- Udalbakra, House No. 49, Guwahati-781 040 for information.
6. Computer Section for uploading in the Website.
7. Office File.
8. Order Book.

Registrar i/c
Assam Information Commission