



OFFICE OF THE

**ASSAM INFORMATION COMMISSION**

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<b>Case No.</b>	<b>KP(M) 175/2018</b>
<b>Complainant/ Appellant</b>	<b>Sri Utpal Das</b>
<b>Respondent</b>	<b>Deputy Commissioner, Kamrup (Metro)</b>
<b>Date of Hearing</b>	<b>11.07.2018</b>
<b>Complaint/ Second appeal heard by</b>	<b>Shri H. S. Das, IAS (Retd) State Chief Information Commissioner, Assam</b>

**O R D E R**  
**11.07.2018**

1. . The public authority is represented by Dr. Dhruba Jyoti Hazaria,, ACS, Circle Officer, Dispur Revenue Circle , accompanied by Sri Saifuddin Ahmed, Supervisory Kanungo, Dispur Revenue Circle, Kamrup (Metro) and Smti Swapna Medhi, Lot Mandal, Dispur Revenue Circle. The petitioner Sri Utpal Das is absent. However, he has sent a written prayer dated 11-7-2018 communicating his inability to attend today's hearing due to some unavoidable circumstances. He has requested this Commission to pass appropriate orders as deemed fit , in his absence.

Accordingly, the petitioner's second appeal petition dated 26-3-2018 read with his RTI petition dated 29-11-2017 is taken up for hearing ex-parte.

2. From perusal of the case records it is seen that the petitioner filed an RTI petition dated 29-11-2017 before the SPIO of the office of the Deputy Commissioner, Kamrup (Metro). The Additional Deputy Commissioner of the office of Deputy Commissioner, Kamrup has submitted a written statement dated 7-7-2018 stating that the RTI petition was transferred to the Circle Officers of Guwahati Revenue Circle, Sonapur Revenue Circle and Dispur Revenue Circle vide letter dated 11-12-2017. The Circle Officer of Guwahati Revenue Circle by a letter dated 21-2-2018 informed the petitioner that the sought for informations are not held by him. Similarly the Circle Officer, of Sonapur Revenue Circle also informed the petitioner vide a letter dated 30-12-2017 that the sought for informations does not come within his jurisdiction.

3. From the enclosures of the W/S it appears that the Circle Officer of Dispur Revenue Circle also vide his letter No. DIS.14/2017 dated Nil furnished some informations to the petitioner – which appear to be incomplete. The petitioner vide his letter dated 11-7-2018 also mentioned that the informations furnished to him are

incomplete. It is also seen from the enclosures of the SPIO's W/S that the Deputy Commissioner, Kamrup (Metro) as First Appellate Authority heard the petitioner's first appeal petition dated 9-1-2018 on 16-3-2018, wherein the petitioner Sri Utpal Das was absent. In his order the FAA directed the Circle Officer of Dispur Revenue Circle to provide the sought for informations to the petitioner directly within 15 days. It appears that the direction of the First Appellate Authority is yet to be complied with.

4. (i) In course of today's hearing the Circle Officer of Dispur Revenue Circle stated that the Star Cement plant is located under Sonapur Revenue Circle. He is therefore, directed to transfer point No. 3 of the RTI petition to Circle Officer, Sonapur Revenue Circle and the Circle Officer of Sonapur Revenue Circle is directed to reply to the petitioner's query within 15 days from the date of receipt of the transferred portion of the RTI petition dated 29-11-2017.

(ii) Other than mentioning of the Star Cement plant, point No. 3 of the RTI petition is not specific. The petitioner is, therefore, directed to inform the concerned Circle Officer of the respective Revenue Circles where the various industries which are in his mind or knowledge are located, so that necessary informations regarding distances of the industrial units from Amchang forest can be furnished by the concerned Circle Officers.

5. As regards point No.-4 of the RTI petition the Circle Officer of Dispur Revenue Circle is directed to transfer it to the SPIO of the office of Deputy Commissioner, Kamrup, since the letter dated 20-4-2015 mentioned by the petitioner was addressed to the Deputy Commissioner, Kamrup (Metro).

6. As regards point No. 5 of the RTI petition the Circle Officer of Dispur Revenue Circle mentioned that the land revenue records are maintained in terms of revenue village, mouza, revenue circle etc., and not in terms of names of hills and other natural features. The petitioner is, therefore, directed to furnish these informations to the concerned Circle Officers for eliciting the sought for informations. Be it so, the petitioner is directed to take note of the fact that some of the hills mentioned by him may also be notified reserved forests reserve under the forest Department and not under the jurisdiction of revenue authorities.

7. As regards point No-2 of the RTI petition regarding allotment of land in Silsako Beel before coming into force in 2008 of the legislation to preserve the water-bodies in and around Guwahati, the Circle Officer of Dispur Revenue Circle submitted that this information is not available in the Circle office. It will be available in the Settlement Branch of the office of the Deputy Commissioner, Kamrup (Metro), The SPIO of the Settlement Branch in the office of Deputy Commissioner, Kamrup (Metro)

is, therefore, directed to furnish the sought for information to the petitioner within 15 days from the date of receipt of the transferred RTI petition.

8. As regards point No. 1 of the RTI petition, the Circle Officer, Dispur Revenue Circle assured this Commission that he will be able to reply to this point within 15 days' time. This Commission directs him to do so within the extended time.

9. With the above order the second appeal petition dated 26-3-2018 is disposed of.

**Sd/-**

**(H. S. Das)**

**State Chief Information Commissioner,  
Assam**

**Authenticated true copy**

**Sd/-**

**Registrar I/c**

**Assam Information Commission**

**Memo No SIC/ KP(M). 175/2018/**

**A**

**Dated 11.07.2018**

Copy to:-.

- 1) SPIO of the office of the office of Deputy Commissioner, Kamrup (Metro), Panbazar, Guwahati-1 for information and necessary action, as ordered above
- 2) Circle Officer of Dispur Revenue Circle, Dispur, for information and necessary action as ordered above.
- 3) Circle Officer, Sonapur Revenue Circle , Sonapur for information and necessary action as ordered above.
- 4) Sri Utpal Das, House No-41, Rong Pathar Bye Lane, Fatashil Ambari, Guwahati-25 for information and necessary action as ordered above.
- 5) Computer Section for uploading in the Website
- 6) Office file.
- 7) Order Book.**

**Registrar I/c**

**Assam Information Commission.**