

Case No.	:No.KP(M)146/2018
Complainant/ Appellant	Sri Shazzad Hussain
Respondent	:Settlement Officer, Dhubri
Date of Hearing	:16-8-2018
Complaint/ Second appeal heard by	:Shri H. S. Das, IAS (Retd) :State Chief Information Commissioner, Assam

O R D E R
16-8-2018

1. The petitioner Sri Shazzad Hussain is present. The public authority to be represented by the SPIO of Settlement Officer, Dhubri is absent. He has, however, sent a written submission dated 8-8-2018 stating that the concerned Assistant Settlement Officer of South Salmara Circle has already provided information to the applicant vide his letter No. SSC(S).9/2017/75 dated 14-8-2017, along with a photocopy of the relevant khatian.
2. The applicant was, however, not satisfied with the information. When asked by this Commission, the applicant submitted that he will be satisfied if he is furnished the sought for information, i.e., copy of relevant Sadar Chitha, Sadar Jamabandi and copy of the order of the competent authority by which Sri Moynal Haque, son of Kebar Ullah, became the pattadars No. 2 in the periodic Kheraj Patta No.-142 on a plot of land measuring 5B-2K-10L covered by Dag No. 754 of village Rajabala, Tehsil – South Salmara, District- Dhubri.
3. The above sought for information being public records are admissible under the RTI Act, 2005, in paragraph 2(i) and (ii) of his letter dated 14th August, 2017, as aforesaid, the Asstt. Settlement Officer, South Salmara Circle has mentioned that information as to how the name of Moynal Haque got recorded as a pattadar in the above mentioned patta in the plot of land mentioned above is not available in his office records. He has clearly mentioned that detailed information and clarification in this regard can be obtained from the records of Settlement Officer, Dhubri.
4. The appellant also mentioned that the records which was earlier furnished to him does not have any bearing with the plot of land and patta no. mentioned in the instant RTI second appeal case. The document earlier furnished to him was in respect of Das No. 307 of village – Rajabala, Khiraj Patta No. 297 involving a plot of land measuring 25B-2K-8L. Thus it appears that the information furnished was of a different plot of land where Moynal Haque was incorporated as a pattadar, as one of the inheritors of one Md. Mukhtar Hussain.
5. From the above, it appears to this Commission that the information earlier furnished to the petitioner was for a different plot of land. Therefore, this Commission directs the Settlement Officer of Dhubri to furnish the informations sought for by the petitioner as mentioned at para-2 of this order within 15 days from the date of receipt with information to this Commission.
6. With the above order, the second appeal petition dated 21-12-2017 is disposed of. The appellant will, however, be at liberty to revert to this Commission if he is not

furnished the above sought for informations within the stipulated time , or if he is not satisfied with the information furnished.

Sd/-

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

Authenticated true copy

Sd/-

Registrar I/c
Assam Information Commission

Memo No. SIC/ KP(M)146/2018/

Dated 16-8-2018

Copy to :-

1. SPIO of the office of Settlement Officer, Dhubri for information and necessary action as ordered above.
2. Sri Shazzad Hussain (Advocate), resident of Santipur Masjid Road, House No. 114, PO & PS-Bharalumukh, Guwahati -781 009 for information.
3. Computer Section for uploading in the Website.
4. Office file.
5. Order Book.

Registrar I/c
Assam Information Commission