



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

Case No. : KP(R).1069/2018  
Complainant/ appellant : Shri Kumudeswar Sarma  
Respondent : SPIO of the office of the Deputy Commissioner, Kamrup (R)  
Date of hearing : 18.12.2018  
Complaint/ Second : Shri H.S. Das, IAS ( Retd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**  
18.12.2018

1. The petitioner Shri Kumudeswar Sarma is present accompanied by his elder brother Shri Jogeswar Sarma. The public authority to be represented by the SPIO of the office of the Deputy Commissioner, Kamrup ( R) is absent without any information. The second appeal petition dated 9.7.2018 is taken up for hearing ex-parte in the absence of any representative from the office of the Deputy Commissioner, Kamrup ( R).

2. From perusal of the case records it is seen that the petitioner filed an RTI petition dated 6.6.2017 with reference to a letter No. RRT.19/2009/109 dated 20<sup>th</sup> June, 2014 from Smti. Salma Ahmed Hussain, ACS, Joint Secretary to the Govt. of Assam, Revenue and DM Department addressed to the Deputy Commissioner, Kamrup ( R), Amingaon. In that letter a reference was drawn to Deputy Commissioner's letter No. ARL.1385/76/204 dated 5.4.2013 and a field verification report in detail was called for further clarification of the matter relating to the Deputy Commissioner's office letter referred to above involving lands proposed to be retained by the petitioner and the lands proposed to be handed over to the Government in lieu of the land proposed to be retained. By his RTI petition dated 6.6.2017, the petitioner sought the following informations from the SPIO of the office of the Deputy Commissioner, Kamrup (Rural):-

- (i) Steps taken by the Deputy Commissioner's office on State Government's letter dated 20<sup>th</sup> June, 2014 mentioned above and,
- (ii) Full details of steps taken by the Deputy Commissioner's office regarding submission of field verification report that was called for by the State Government vide their letter dated 20.06.2018.

3. The petitioner followed up his RTI petition by first appeal petition dated 7.3.2018 and by the instant second appeal petition dated 9.7.2018. This Commission is of the view that the informations sought for by the petitioner are admissible under the RTI Act, 2005. The SPIO of the office of the Deputy Commission, Kamrup (R) seems to have failed to furnish the sought for informations within the stipulated 30 days' time limit from the date of receipt of the RTI petition. The SPIO is directed to furnish the sought for informations to the petitioner within 15 days from the date of receipt of this order. Further, he is directed to show cause as

to why penalty u/s 20 of the RTI Act, 2005 shall not be imposed on him for his failure to comply with the relevant mandatory provisions of the RTI Act, 2005

Fix 1.30 PM on 07.01.2019 for review of compliance and consideration of the SPIO's explanation as called for above.

Sd/-

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

Authenticated true copy.

Sd/-

Registrar i/c  
Assam Information Commission

Memo No. SIC/ KP(R).1069/2018/

Dated. 18.12.2018

Copy to: 1. The SPIO of the office of the Deputy Commissioner, Kamrup (R), Amingaon, Guwahati- 781031 for information and necessary action.  
2. Shri Kumudeswar Sarma, Vill & PO- Rangamati, Dist. Kamrup (R), Assam, PIN-781122 for information.  
3. Computer Section for uploading in the Website.  
4. Office File.  
5. Order Book

Registrar i/c  
Assam Information Commission