



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

Case No. KP(R)14/ 2017
Complainant/ Appellant Sri Biswajit Debnath
Respondent : SPIO of Lanka Revenue Circle, Hojai
Date of hearing 26.02.2019
Complaint/ Second : Shri H. S. Das, IAS (Retd)
Appeal heard by Chief Information Commissioner, Assam

O R D E R

26.02.2019

1. The appellant Sri Biswajit Debnath is present. The public authority to be represented by SPIO of the office of the Circle Officer, Lanka Revenue Circle, District Hojai is absent without any information.
2. The petitioner's application dated 23.8.2018 complaining against non-compliance of this Commission's order dated 17.8.2017 by the Circle Officer of Lanka Revenue Circle, District Hojai is taken up for hearing ex parte in the absence of the Circle Officer or his SPIO.
3. As an enclosure to his complaint petition dated 23.8.2018, the petitioner has furnished a copy of his application dated 4.9.2017 praying for demarcation of the land in question. The complainant also mentioned that thereafter the Circle Officer fixed three successive dates on 23.10.17, 19.12.17 and 19.3.18 for spot demarcation of the land in question. The complainant annexed copies of corresponding notices dated 5.10.2017, 21.11.2017 and 5.3.2018 respectively. His present complaint is that in spite of fixation of three dates by the Circle Officer for demarcation of the land in question, no physical demarcation has taken place till date. The Circle Officer had, however, mentioned in all the three notices mentioned above that he has faced difficulties in doing the demarcation work. In the absence of the Circle Officer or his SPIO, his views could not be heard. If the petitioner's complaint is true, then it appears to be a breach of the assurance given by the Circle Officer as recorded at paragraph 7 of this Commission's order dated 17.8.2017 as well as this Commission's direction to the Circle Officer at paragraph 9 of the same order.
4. In view of the above, the Circle Officer, Lanka Revenue Circle, District Hojai is directed to do the necessary demarcation within 15 days from the date of receipt of this order in accordance with the Land Revenue Rule, Regulations and Procedure and report compliance. In case there are any problems for which the demarcation cannot be done, then the detailed reasons thereof be communicated to the petitioner Sri Biswajit Debnath within 15 days from the date of receipt of this order. The above order is passed in pursuance of Section 19(8)(a) of the RTI Act, 2005.
5. Fix 27.3.2019 at 1.00 P.M. for review of compliance. Issue notices to both the parties for appearance in 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/ KP(R)14/2017

Dated 26.02.2019

Copy to:

1. The SPIO of the office of the Circle Officer, Lanka Revenue Circle, Dist. Hojai for information. and necessary action.
2. Sri Biswajit Debnath, IIT Guwahati Campus, A&B Type Residence, Qr. No.B-133, Guwahati 39.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar i/c
Assam Information Commission