



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

Case No. : KP(R).14/2017
Complainant/ appellant : Shri Biswajit Debnath
Respondent : Circle Officer, Lanka Revenue Circle, Hojai
Date of hearing : 29.04.2019
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
29.04.2019

1. The complainant Shri Biswajit Debnath as well as the public authority represented by the Circle Officer of Lanka Revenue Circle, Shri Garga Mohan Das- both are present. The CO was accompanied by Shri Binud Kalita, S.K. and Shri Mukunda Hazarika, Lot Mondal of the Lanka Revenue Circle. The complaint petition dated 23.8.2018 is taken up for further hearing in pursuance of this Commission's earlier order dated 26.2.2019.

2. The complainant has made a written submission dated 29.4.2019, which is entered into the case records. The complainant's earlier written submission dated 16.3.2019 is also entered into the case records. The CO of Lanka Revenue Circle had sent a written submission dated 26.3.2019 along with a copy of his communication dated 16.3.2019 addressed to the petitioner in compliance with this Commission's order dated 26.2.2019. The gist of the CO's submission is that he issued notices to the seller of the land in question as well as the instant complainant, who was the purchaser of the plot of land, for demarcation of the said plot of land, but on all the three occasions neither the seller nor any of his/her representatives turned up. The CO mentioned in his WS that the complainant Shri Biswajit Debnath is not in possession of the plot of land in question. In the absence of the seller of the plot of land the CO could not do the demarcation work. In the face of the non co-operation by the seller, the CO expressed his helplessness to proceed any further with demarcation of the said plot of land.

3. In view of the submission dated 26.3.2019 as well as helplessness expressed by him before this Commission today, this Commission does not see any further cause of action to proceed with the complaint petition dated 23.8.2018, read with the RTI petition dated 31.10.2016. This appears to be a case of cheating where the seller sold a plot of land to the present complainant without handing over possession of the land. The complainant is therefore, at liberty to approach the competent authority for redressal of his grievances.

4. In view of the above, this Commission is of the view that no fruitful purpose will be served by pursuing the complaint petition any further at this point of time.

With the above order, read with earlier orders dated 17.8.2017, and 26.2.2019, the complaint petition dated 23.8.2018 is disposed of and the matter is closed so far this Commission is concerned.

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. 29.04.2019

Copy to: 1. The Circle Officer, Lanka Revenue Circle, Dist. Hojai, Assam for information.
2. Shri Biswajit Debnath, IIT, Guwahati Campus, A & B Type Residence, Qrt. No. B-133, Guwahati-39 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book

Registrar i/c
Assam Information Commission