



**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781037**

Case No : BNG.8/2018
Complainant/ Appellant : Smti Kalpana Bala Das
Respondent : SPIO of the office of the Deputy Commissioner, Bongaigaon
Date of hearing : 31.05.2019
Complaint/ Second : Shri H.S. Das. IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
31.05.2019

1. The appellant Smti Kalpana Bala Das is absent. However, she sent an e-mail dated 22nd May, 2019 praying for fixation for another date of hearing as she could not attend today because her presence was required in connection with NRC . The public authority, i.e., office of the Deputy Commissioner Bongaigaon is represented by (1) Sri Partha Pratim Khanikar, ACS Assistant Commissioner and SPIO of the office of the Deputy Commissioner, Bongaigaon, (2) Sri Akhil Kumar Ray, Lot Mandal, Bijni Revenue Circle, Bijni and (3) Sri Debashis Mukhergi, Lot Mandal, Bijni Revenue Circle. The second appeal petition dated 26.4.2018 is taken up for further consideration in pursuance of petitioner's petition dated 18.8.2018 complaining about non-compliance of this Commission's previous order dated 22.4.2019.

2. The concerned Lot Mandal Sri Akhil Kr. Ray submitted orally that on 26.2.2019 he offered to furnish the relevant documents as directed by this Commission to the petitioner. But, she refused to sign in acknowledgement of receipt of the same. Hence, the documents could not be handed over to her. The SPIO and Assistant Commissioner of the office of the Deputy Commissioner, Bongaigaon, Sri Pratha Pratim Khanikar, ACS has submitted a written statement dated 27.5.2019, which is entered into the case records. It has been stated in the written statement that the appellant Smti Kalpana Bala Das went to the office of the Circle Officer, Bijni on 18.3.2019 and the sought for documents were handed over to her on 28.3.2019 vide forwarding letter dated 26.3.2019 which she signed in acknowledgement of receipt of the documents. Copies of the documents furnished have also been enclosed with the written statement except copy of relevant copy of the chitha where field mutation order is noted. The SPIO of the office of the Deputy Commissioner Bongaigaon is, therefore, directed to furnish a copy of the chitha also to the petitioner within 7 days from the date of this order which was pronounced in presence of the SPIO.

3. In response to show cause notice the SPIO has stated that due to his pre occupation with Parliamentary Election duties, affirmatives action already taken in compliance with this Commission's earlier order dated 26.2.2019, could not be intimated to this Commission in time. He has also mentioned that show cause notice has also been issued to Sri Akhil Kr Ray, concerned Lot Mandal of the office of the Circle officer Bijni Rev. Circle on 21.5.2019.

4. From the above it is seen that all the necessary actions have been taken by the concerned SPIO of the office of the Deputy Commissioner Bongaigaon. It is also noted that the latest non-compliance complaint petition of the appellant Smti. Kalpana Bala Das was on 26.3.2019, 2 days before she received the sought for documents with her signature. Therefore, it appears that there is no further cause of action so far the instant second appeal petition is concerned and therefore, no further hearing is considered necessary. Hence, the second appeal petition dated 26.4.2018 is disposed of.

Sd/-

(H. S. Das)

Chief Information Commissioners, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Registrar i/c
Assam Information Commission

Memo No. SIC/BNG.8/2018

Dated. 31.05.2019

Copy to:

1. The SPIO of the office of the Deputy Commissioner, Dist- Bongaigaon, Assam for information.
2. Sri Akhil Kumar Ray, Lot Mandal, office of the Circle Officer, Bijni Rev. Circle for information.
3. The Petitioner, Smti Kalpana Bala Das, W/O- Lt. Atul Ch. Das, Vill- Nagarjhar, W/No-5, P.O-South Bijni, Dist- Bongaigaon, Assam Pin-783390 for information.
4. Computer Section for uploading in the Website.
5. Office File
6. Order Book

Registrar i/c
Assam Information commission

