



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

Case No. KP(M)347/ 2019.
Complainant/ Appellant Sri Sanjay Kumar Medhi.
Respondent : SPIO , Circle Officer, Sarupeta Revenue Circle.
Date of hearing 21.06.2019
Complaint/ Second : Shri H. S. Das, IAS (Retd)
Appeal heard by Chief Information Commissioner, Assam

O R D E R

25.06.2019

1. The appellant Sri Sanjay Kumar Medhi is present. The public authority to be represented by the SPIO and Circle Officer, Sarupeta Revenue Circle, District Barpeta is absent. However, she sent a written statement dated 21.6.2019, which is entered into the case records. The Circle Officer has mentioned in her WS that due to ongoing NRC works she is unable to attend today's hearing, but that she had already furnished the required informations to the petitioner vide letter dated 15.6.2018 in response to his RTI petition dated 19.5.2018. Subsequently, vide letter dated 17.7.2018 the Circle Officer again furnished photo copies of official records and other relevant documents as sought for in point no.07 of RTI petition. Again, vide letter dated 31.7.2018 the Circle Officer informed the petitioner that all the office orders and relevant documents regarding eviction drive of Naosaraka Pathar and Chauliabari village were already been furnished to the petitioner vide letter dated 17.7.2018 and that no other documents in relation to the above mentioned eviction drive were available in the office file of Sarupeta Revenue Circle and that those documents are not misleading in any manner in relation to this matter. The Circle Officer further added that a total of 134 sheets of photo copies which were furnished to the petitioner and that the remaining amount of Rs.232/- were returned to the petitioner along with the letter dated 31.7.2018.

2. The appellant Sri Sanjay Kumar Medhi submitted that he has received the informations furnished by the Circle Officer. As regards point no.1 to point no.6 of his RTI petition dated 19.5.2018 he said that he does not want to pursue these points any further. However, as regards point no.7 of his RTI petition he is not satisfied with the documents furnished to him. He submitted orally that he was provided copies of eviction notices but not with any copy of eviction orders carried out by Circle Officer, Sarupeta. He further mentioned that Point No.7 of his RTI petition relates to large scale encroachment of VGR land by some people in a planned and systematic manner, which is detrimental to public interest. He has mentioned in his second appeal petition that the documents furnished to him are misleading. As a relief, the petitioner has sought imposition of penalty on the Circle Officer, Sarupeta. The

appellant has also mentioned in his complaint petition dated 24.8.2018 that on 13.7.2018 he along with one Sri Swapan Kalita, a resident of village Kalbari went to meet the Circle Officer in her office. The complainant has alleged that instead of furnishing the correct informations, the Circle Officer misbehaved with them and ask them to “get out” from her chamber.

3. In the absence of the Circle Officer, Sarupeta, her version on the matter could not be heard. In any case, the information sought for vide paragraph 7 of the RTI petition and the informations furnished by the Circle Officer to the petitioner are matters of office records. The complaint petition dated 24.8.2018 is, therefore, taken up for consideration under Section 18 of RTI Act, 2005 and the Circle Officer is directed to appear in the next date of hearing with original office records.

4. Fix 12.30 P.M. on 5.8.2019 for next date of hearing. Issue notices to both the parties accordingly.

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

Authenticated true copy.
Sd/-
Registrar i/c
Assam Information Commission

Memo No. SIC/ KP(M)347/2019

Dated 25.06.2019

Copy to:

1. The SPIO & Circle Officer, Sarupeta Revenue Circle, Barpeta 781318 for information. and necessary action.
2. Sri Sanjay Kumar Medhi, Advocate Gauhati High Court, Meghmallar House, Flat No.502, F.C. Road, Uzanbazar,Guwahati 1.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar i/c
Assam Information Commission