



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

Case No. : KP(M).409/2019  
Complainant/ appellant : Shri Utpal Das  
Respondent : SPIO of the office of the Deputy Commissioner, Kamrup(M)  
Date of hearing : 8.7.2019  
Complaint/ Second : Shri H.S. Das, IAS ( Retd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**  
8.7.2019

1. The petitioner Shri Utpal Das is absent. However, he has sent an e-mail dated 8<sup>th</sup> July, 2019 stating that he was unable to attend today's hearing due to heavy rain and prayed for passing ex parte order in his absence. The public authority, i.e. the Deputy Commissioner, Kamrup (M) is present as represented by:- (i) Shri Lachit Kr. Das, ACS, Addl. Deputy Commissioner and SPIO of the office of the Deputy Commissioner, Kamrup (M) district, (ii) Shri B.B. Bhagawati, ACS, ADC-cum-CEO, District Disaster Management Authority, (iii) Shri Manoj Kr. Sikaria, ACS, ADC, Land Reforms Branch, Deputy Commissioner's office, Kamrup (M) and (iv) Shri Pankaj Kr. Sarma, Dy Registrar, Kamrup (M) district. The second appeal petition dated 27.11.2018 read with RTI petition dated 21.6.2018 is taken up for consideration ex parte in the absence of the petitioner. The ASPIO of the office of the Deputy Commissioner, Kamrup (M) submitted a written statement dated 5.7.2019 with enclosures, which is entered into the case records.
2. It is seen from the RTI petition dated 21.6.2018 that the petitioner sought replies against 4 sets of information from the SPIO of Deputy Commissioner, Kamrup (M). Against the first point, i.e. the name and designation of the officials who did works related to land transfer, allotment and settlement during the period of 2001-2006 in Deputy Commissioner's office, Kamrup (M). The SPIO of the office of the DC, Kamrup (M) is directed to furnish the sought for information within 15 days from the date of receipt of this order.
3. As regards point no. 2, i.e. names and designations of officials of the office of the DC, Kamrup (M), who were involved in connection with execution to the seven land sale deeds mentioned in the RTI petition, the petitioner was already informed by the Sr. Sub-Registrar, Kamrup (M) district, Guwahati vide letter No. KRN/RTI/03/2019 dated 9<sup>th</sup> January, 2019 that as per the Registration Act, 1908, it is the concerned parties, i.e. the buyer and seller, who execute the sale deed before registration of the sale deed in the office of the Sub-Registrar, implying thereby that there is no involvement of officials in the execution of a sale deed. If the petitioner wants to know the names and designations of officials who were involved in issuing land sale permission or other

related informations, he may, then file separate RTI petition before the concerned public authority.

4. As regards point No. 3, i.e. number of VVIP/VIP or other passes issued by the office of the Deputy Commissioner, Kamrup (M) to the visitors of Kamakhya Temple during the period 2015 -2018, the ADC (Nazarat Branch) had already furnished the available informations to the petitioner vide letter No. KNZ.2/2019/1034 dated 5.7.2019. The appellant was also requested to deposit Rs. 2.00 per copy for getting photocopies of 351 pages of documents, if he was interested to obtain the same. It appears that the petitioner has not paid the required cost.

In view of the above, the SPIO of the office of the Deputy Commissioner, Kamrup (M) is directed to allow the petitioner to inspect the relevant records within 15 days from the date of receipt of this order and also allow him to take notes and photocopies of such documents on payment of Rs. 2.00 per page of photocopy.

5. Coming to point no. 4, the ADC, Kamrup (M) district had already furnished the required information vide letter No. KRL.14/2016/75 dated 27.12.2018, which was placed before this Commission. The gist of the information furnished is that the sought for information is not available with the DC, Kamrup (M). From perusal of point no. 4 of the RTI petition it is not clear whether the Deputy Commissioner, Kamrup (M) is the appropriate public authority who holds the information sought for by the petitioner. If the petitioner wants to pursue the matter further, then he may first ascertain the identity of the correct and appropriate public authority in this regard.

With the above orders, the second appeal petition dated 27.11.2018 is disposed of.

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).409/2019/

Dated. 8.7.2019

- Copy to: 1. The Addl. Deputy Commissioner and SPIO of the office of the Deputy Commissioner, Kamrup (M), Guwahati-1 for information and necessary action  
2. The Addl. Deputy Commissioner (Nazarat Branch) of the office of the Deputy Commissioner, Kamrup (M), Guwahati-1 for information and necessary action.  
3. Shri Utpal Das, House No. 41, Rang Pathar Path Bye Lane, Fatashil Ambari, Guwahati 25 for information and necessary action as ordered above.  
4. Computer Section for uploading in the Website.  
5. Office File.  
6. Order Book

Registrar i/c

Assam Information Commission