



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

Case No : SIC/LPR.13/2019
 Complainant/ Appellant : Mohammad Isha
 Respondent : The SPIO, Office of the Circle Officer, North Lakhimpur
 Revenue Circle, Dist- Lakhimpur, Assam
 Date of hearing : 19.8.2019
 Complaint/ Second : Nilufer Alam Hazarika, IAS (Retd.)
 Appeal heard by : State Information Commissioner, Assam
 Date of order : 19.8.2019

O R D E R

19.8.2019

The petitioner Sri Mohammad Isha has informed the Commission that he is unable to attend the hearing today due to his illness and he has not received any information sought for by him till date.

The public authority to be represented by the SPIO, office of the Deputy Commissioner Lakhimpur is absent without any information. The second appeal petition filed by the petitioner dated 9.5.2019 is taken up for consideration based on records.

On perusal of the RTI petition dated 28.2.2018, it is seen that the petitioner stated that the Hon'ble Court of Munsiff No-1 cum Judicial Magistrate passed an order and directed the Circle Officer, North Lakhimpur Revenue Circle in TS Case No 5/17 (Shri Dulen Baruah VS Mohammad Isha) for measurement of land of periodic Pata No. 1153 of Part-1 Dag No 765 land measuring 0B, 2 katha and 10 lechas. The petitioner requested to provide information as per Government map of details of the above land by the concerned Lat Mandal on 20.2.2018 as per order of the Hon'ble Court of Munsiff No. (Details of report with trace map).

Due to non receipt of information within 30 days he filed first appeal petition dated 2.4.2018 before the First Appellate Authority the Deputy Commissioner Lakhimpur. He stated that he received false, incomplete and unsatisfactory information from the Circle Officer, North Lakhimpur Revenue Circle vide letter dated 10.4.2018 and therefore, as filed his second appeal petition dated 9.5.2019.

On perusal of the letter dated 10.4.2018 sent by the Circle Officer, North Lakhimpur to the petitioner it is seen that he had enclosed a copy of the reply furnished to him dated 27th March, 2018 enclosing a copy of the report of the Lat Mandal that the information sought for by the petitioner was involved in case No. 5/2017 in the court of Munsiff No. 1 cum Judicial Magistrate and hence, it would not be possible to furnish the information sought for.

After careful examination of available records, the Commission observes that the second appeal was submitted after 1 year of the filing of first appeal petition and that without any reason for condoning the delay. As such the second appeal submitted is time barred and hence the same is disposed of accordingly.

However, taking into consideration the facts stated above that information could not be furnished as the matter was involved in title suit cannot be accepted and the Circle Officer, Lakhimpur Revenue Circle may furnish the information/ status sought for by the petitioner if there is no stay order from the Court of Munsiff No-1 cum Judicial Magistrate of 1st class

Sd/-
(Nilufer Alam Hazarika, IAS (Retd.))
State Information Commissioners, Assam
Panjabari, Guwahati

Authenticated true copy.



Joint Registrar
Assam Information Commission

Memo No. SIC/LPR.13/2019

Dated. 19.8.2019

Copy to:

1. The SPIO, Office of the Circle Officer, North Lakhimpur Revenue Circle, Dist- Lakhimpur, Assam for information and necessary action.
2. The First Appellate Authority, Deputy Commissioner, Lakhimpur, North Lakhimpur, Dist- Lakhimpur, Assam Pin-787001 for information.
3. The Petitioner, Mohammad Isha, Vill- Hatibandha, P.O- Kakoirajgarh, Assam, Pin- 787051, M. No-8399050148 for information.
4. Computer Section for uploading in the website.
5. Office File
6. Order Book



Joint Registrar
Assam Information commission