



OFFICE OF THE

ASSAM INFORMATION COMMISSION

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Case No. : SIC/ CCR.14/2019
Appellant : Sri Biren Saikia
Respondent : The SPIO, Office of the Revenue Circle Officer, Moran
Revenue Circle, Moran, P.O. Moranhat, Dist. Dibrugarh,
Assam, Pin – 785670
Date of hearing : 29-7-2019
Second Appeal heard by : Nilufer Alam Hazarika, IAS(Retd.)
State Information Commissioner, Assam

O R D E R

29-7-2019

The petitioner Sri Biren Saikia is present. The Public Authority is represented by Sri Manoj Hazarika, Jr. Asstt., Moran Revenue Circle, Dibrugarh .

The Circle Officer, Moran Revenue Circle, Dibrugarh has informed the Commission vide letter dt. 23rd July, 2019 that he could not be present for hearing today as there is no Assistant PIO or any other officer in the Circle Office. He has authorized Sri Manoj Hazarika, Jr. Asstt., Moran Revenue Circle, Dibrugarh to represent him.

The Circle Officer has submitted a written statement dt. 23rd July, 2019 that the RTI application dt. 19-1-2019 was received on 22-1-2019 and after verification of the matter, reply was sent to the applicant directly and received by his brother Sri Gulen Saikia. He also stated that Sri Biren Saikia has submitted another application vide letter dt. 20-8-2018 which was received on 29-8-2018. The report of the Lat Mandal was submitted on 10-9-2018, but could not be forwarded to the petitioner due to urgent election duty (Panchayat Election, 2018) of the office staff and has regretted the same. The report of the LR is attached in Annexure -“D”. He also mentioned that the allotment proposal in favour of Smt. Gunabala Saikia, W/o Late Nityananda Saikia had already been approved as per their verification report and the allotment Certificate had already been handed over to Sri Gulen Saikia, S/o Smt. Gunabala Saikia on March, 2019. The signature

of the recipient on the counterfoil of the allotment certificate is enclosed at Annexure – “E”. He also stated that as he and his office staff were engaged in election urgent work as authorised Officer by the Deputy Commissioner, Dibrugarh and various other cells of the Deputy Commissioner’s office and accordingly was not available in the office during that time, so the RTI reply could not be furnished in due time. He has therefore requested to exempt him from penalty U/S. 20(1) of the RTI Act.

The circumstances explained by the Circle Officer that there was delay in submission of the information due to engagement in Panchayat Election works and other activities, as directed by the Deputy Commissioner, is accepted by the Commission and hence action U/S. 20(1) of the RTI Act, 2005 is not proceeded further.

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The petitioner objected that vide his RTI petition dt. 20-8-2018 he had sought for a copy of the report submitted on the queries raised by the Addl. Deputy Commissioner, Dibrugarh on 5th July, 2017 which was not furnished to him. The Public Authority present stated that since the allotment was already made to the applicant Smt. Gunabala Saikia in March, 2019 and copy of the allotment Certificate was already received by the brother of the applicant, the copy of the report on the Addl. Deputy Commissioner’s letter dt. 5th July, 2017 remained to be furnished to the petitioner.

The Commission therefore directs the SPIO to furnish a copy of the report furnished to the Addl. Deputy Commissioner, Dibrugarh before the allotment of the land (if any such report was submitted) within 21 days from the date of receipt of this order.

With the above direction, the 2nd Appeal petition dt. 22-12-2018 is disposed of.

Sd/-

(Nilufer Alam Hazarika, IAS(Retd.))
State Information Commissioner, Assam

Authenticated true copy

Panjabari, Guwahati

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/CCR.14/2019

Dtd. 29-7-2019

Copy to:

1. The SPIO, Office of the Revenue Circle Officer, Moran Revenue Circle, Moran, P.O. Moranhat, Dist. Dibrugarh, Assam, Pin – 785670 for information and necessary action.
2. The First Appellate Authority/ Deputy Commissioner, Dibrugarh, Dist. Dibrugarh, Assam, Pin – 786003 for information and necessary action.
3. The petitioner/ Sri Biren Saikia, C/o Mr. Nanda Kisur Singha, Tulargram Pt – II, P.O. Sonaimukh, Dist. Cachar, Assam, Pin – 788119, M/No. 8486708157 for information.
4. Computer Section for uploading in the Website.
5. Office File.



Joint Registrar
Assam Information Commission