

**Case No.** : SIC/KP(M).215/2020  
**Complainant/ Appellant** : Shri Reena Kurmi  
**Respondent** : The SPIO, Office of the Deputy Commissioner,  
Dibrugarh, Assam PIN-786003.  
**Date of Hearing** : 04-02-2021  
**Complaint/ Second**  
**Appeal heard by** : Shri Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**04-02-2021**

1. The appellant Smti Reena Kurmi is present. She is also assisted by Shri Chinmoy Chakravarty and Shri Dayadipan Das, both advocates for the petitioner.
2. The SPIO, O/o the Deputy Commissioner, Dibrugarh, is absent. But the Commission has received a written statement No. DMJ/RTI/13/2021/26 dated 01.02.2021, comprising 24 (twenty-four) pages from the Deputy Commissioner and FAA, Dibrugarh.
3. From perusal of records it is seen that the appellant Smti Reena Kurmi had submitted an RTI application before the SPIO, O/o the Deputy Commissioner, Dibrugarh, on 13.02.2020, seeking two specific informations - (i) Copy of spot verification on 10.11.2017, carried out by A.D.C. Shri P.K. Das on a plot of land bearing dag No. 331, Patta No. 113, situated at 1 No. Chokolia Village, Dist.- Dibrugarh, and (ii) A copy of the audio-visual recording of the spot verification mentioned above. The appellant had also annexed copy of an attendance sheet of spot visit of the above-mentioned A.D.C. Dibrugarh, carried out on 10.11.2017.
4. On not receiving any response to her RTI application dated 13.02.2020, the appellant Smti Reena Kurmi submitted an Appeal before the FAA, O/o the Deputy Commissioner, Dibrugarh, on 08.06.2020. The Deputy Commissioner and FAA, Dibrugarh, vide memo No.DMJ/RTI/Appeal/18/2020-A directed the appellant as well as the SPIO to appear for a hearing on her 1<sup>st</sup> Appeal on 08.07.2020. While the written statement of the D.C./FAA, Dibrugarh, No. DMJ/RTI/13/2021/26 dated 01.02.2021 has stated that the appellant was absent at the time of hearing of the 1<sup>st</sup> Appeal on 08.07.2020, the appellant during the hearing today pointed out that she had received the notice of the 1<sup>st</sup> Appeal hearing only on 22.07.2020. She also stated that even otherwise she felt that situation was not safe to travel to Dibrugarh because of the pandemic situation. Records submitted by the SPIO also show that the FAA and Deputy Commissioner, Dibrugarh, in his order dated 08.07.2020, closed the case. He/she had also put on record that the petitioner Smti Reena Kurmi, had been furnished the required information on 10.03.2020, vide letter No. DRA.4/2011/Vol-III/135.
5. The DC Dibrugarh, in his written statement also enclosed a copy of letter No. DRA.4/2011/Vol-III/135 dated 10.03.2020, in which the ADC (LA), Dibrugarh, had informed the petitioner that (i) No spot verification record as stated by the applicant is found in office records i.e. no reference of such spot verification records is found; and (ii)

No such CD and audio-visual recording as stated by the applicant is found in office records i.e. no reference of such CD is found.

6. From perusal of records it is also seen that though the SPIO/ADC(RTI), Dibrugarh had in his/her reply to the appellant on 10.02.2020, stated that there was no reference of any spot verification to be found in the office record, the appellant had submitted a letter No. DRA.55/2015/ dated 08.11.2017, apparently written by the ADC (L.A), Dibrugarh to the Circle Officer, Moran Revenue Circle, that he was going to carry out a spot verification for the particular plot of land covered by DAG No.331 P.P. No. 113 of 1 No. Chokolia village in connection with release of compensation for acquisition of land for the purpose of four laning on 10.11.2017, at 2:00 PM in the presence of pattadars and objectors.
7. Moreover, the appellant had in her RTI application dated 13.02.2020, also enclosed a certified copy of an attendance sheet pertaining to the purported visit of Shri P.K. Das, ACS, ADC, for spot verification of DAG No.331 Patta. No. 113 of 1 No. Chokolia village, on 10.11.2017 which was apparently duly authenticated by several government officers with signatures and seal.
8. From the above, it appears that there is indeed some reference of the spot verification as has been claimed by the petitioner.
9. In view of the above the SPIO, O/o the Deputy Commissioner, Dibrugarh, is directed to examine authenticity of the two documents – (i) Letter No. DRA.55/2015 dated 08.11.2017, written by the ADC (LA) and (ii) Attendance sheet pertaining to spot verification reportedly carried out by ADC Shri P.K. Das on 10.11.2017) - and to furnish the informations, if any, as sought by the appellant Smti Reena Kurmi on the basis of the references mentioned in the previous two paragraphs, within 15 (fifteen) days from the receipt of this order, and inform the Commission accordingly.
10. With the above order, the 2<sup>nd</sup> Appeal is hereby disposed of.

Sd/-  
(Samudra G. Kashyap)  
State Information Commissioner, Assam,  
Panjabari, Guwahati.

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/KP(M).215/2020**

**Dated: 04-02-2021**

Copy to:

1. The SPIO, O/o the Deputy Commissioner, Dibrugarh, Assam, PIN-786003 for information and necessary action.
2. The First Appellate Authority/ O/o the Deputy Commissioner, Dibrugarh, Assam, PIN-786003, for information and necessary action.
3. The petitioner, Smti Reena Kurmi, 6<sup>Th</sup> Floor, Flat No.-6B, Indradhanu Apartment (Near Primus), Bhangagarh, Guwahati, PIN-781006 Assam, for information.
4. Computer section for uploading in the website
5. Office File
6. Order Book

Secretary & Registrar  
Assam Information Commission