RIGHT TO INFORMATION

OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI– 781037
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Case No.	**: SIC/KP(M).130/2021**
Complainant/ Appellant	**: Ismail Hoque**
Respondent	**: SPIO of the Office of the Deputy Commissioner, Kamrup (M), Guwahati** **SPIO, O/o the Senior Sub Registrar, Registration Branch, DC Office Campus, Kamrup(M), Guwahati**
Date of Hearing	**: 30-07-2021**
Complaint/ Second Appeal heard by	**: Dr. A.P.Rout, State Chief Information Commissioner, Assam**

O R D E R
30/07/2021

1. The petitioner Mr. Ismail Hoque is present. The petitioner has submitted his RTI application on 24.01.2021:-

   "To check inspection of the records like Sale Deed of land, Agreement for sale of land, Register Book, Documents etc for last 5 years, stored in the office of Sub-Registrar, Kamrup (M), Assam, the land situated under Sonapur Revenue Circle. Kindly allow to inspect the same, the following records are required for inspection –

   - All sale deed of land since last 5 years
   - All deed of land for sale agreement since last 5 years."
2. Reportedly on not getting any information, the petitioner filed 1st appeal before the First appellate authority cum the Commissioner of Police, Kamrup (Metro) District, Office of the Police Commissioner at Guwahati on 22.2.2021.
3. Again, the petitioner filed 2nd appeal before the Commission on 23.4.2021 and accordingly hearing was taken today.
4. The Public Authority is represented by Sri Kongkon Jyoti Saikia, Assistant Commissioner and ASPIO, Kamrup Metro. The SPIO of DC, Kamrup Metro has submitted a written statement vide no. RTI Appeal No.14/2021/266 dated 30/7/2021 which is taken into records
5. The Sr. Sub-Registrar, Kamrup Metropolitan District has also submitted a written statement vide no. KRN/RTI (Appeal)/1/2021/308-10 dated 28/7/2021 which is taken into records. In the written statement, the Sr. Sub Registrar has mentioned that a reply has already been forwarded to the appellant vide letter no. KRL/RTI/1/2021/186-89 dated 2.3.2021. He further submitted that appellant was requested to provide deed nos. and registration date of the deeds, the appellant was related with for searching/inspecting the same particular dates in the computerized system of registered deeds, but their office did not receive any response from the appellant.

   The Assistant Commissioner verbally intimated that the information is not yet given as it stretched over a long period of time and if any specific sale deed is required that could be given.
6. The appellant was asked whether he has any specific cause of action and to which he replied that he has no specific cause of action and he has applied as per the Act.
7. Here, the Commission would like to add the decision of Delhi High Court in Har Kisan VS President Secretariat in WP(C) 7976/2020 stating **"The Court is of the opinion that whenever information is sought under the RTI Act, disclosure of an interest in the information sought would be necessary to establish the bonafides of the applicant. Non-disclosure of the same could result in injustice to several other affected persons"**.
8. The petitioner has submitted the decision of Central Information Commission vide Appeal No.CIC.BS/A/2016/000788-BJ in support of his cause.

9. However his report incorporated the observation of **Hon'ble Supreme Court of India in Central Board of Secondary Education and Anr. Vs. Aditya Bandopadhyay and Ors, SLP(c) No. 7526/2009** wherein it was held as under:

   Quote Indiscriminate and impractical demands or directions under RTI Act for disclosure of all and sundry information (unrelated to transparency and accountability in the functioning of public authorities and eradication of corruption) would be counter-productive as it will adversely affect the efficiency of the administration and result in the executive getting bogged down with the non-productive work of collecting and furnishing information *Unquote.*

   Quote The nation does not want a scenario where 75% of the staff of public authorities spends 75% of their time in collecting and furnishing information to applicants instead of discharging their regular duties. *Unquote*
10. In light of the above observation of Supreme Court of India and latest decision of High Court of Delhi and as per submission of the SPIO, the Commission decides that if any specific period or any specific case is mentioned only that information be given to the petitioner.
11. The case is disposed off.
12. Certified copies to be given to all concerned.

Sd/-
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-
Secretary & Registrar
Assam Information Commission

Memo No. SIC/KP(M).130/2021 **Dtd.30.7.2021**

Copy to:

1. The SPIO, O/o the Deputy Commissioner, Kamrup Metropolitan District, Guwahati (RTI Branch) for information and necessary action as ordered above.
2. The SPIO, O/o the Senior Sub Registrar, Registration Branch, DC Office Campus, Kamrup Metropolitan District, Guwahati for information and necessary action as ordered above
3. The petitioner Mr Ismail Hoque, R/o – Saraighat Nagar, P.O – Pandu, P.S – Jalukbari, Dist. – Kamrup(M), Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Secretary & Registrar
Assam Information Commission