

**Case No.** : SIC/KP(M).127/2021  
**Complainant/ Appellant** : Sri Hara Kanta Bora  
**Respondent** : SPIO of the Office of Deputy Commissioner, Kamrup  
Metropolitan District, Guwahati (RTI Branch)  
**Date of Hearing** : 28-07-2021  
**Complaint/ Second** : Dr. A.P.Rout,  
**Appeal heard by** State Chief Information Commissioner, Assam

**O R D E R**  
**28/07/2021**

1. The petitioner Sri Hara Kanta Bora is present. He has filed RTI petition on 17/8/2020 seeking following information:-
  - (a) Combined trace map of the land covered owned by (a) Jyoti Chitrabon (b) Govt. Bhauri Devi Cheraugi Deaf & Dumb School (c) 10<sup>th</sup> APBN and (d) Lokabandhu Nagar(Bhogargaon) of Kahilipara, Guwahati-19. The joint portion of the land should be specific and owners name should be mentioned in each place in the provided map.
  - (b) Please provide the Dag No. and Patta No. of the above land of a,b,c and d. If the Lokabandhu Nagar is not a Revenue Village then Bhogargaon may be mentioned instead of Lokabandhu Nagar.
  - (c) Please mention the portion of the land of Bhogargaon i.e., Lokabandhu Nagar falls under Jyoti Chitrabon with Dag No. and Patta No.
  - (d) Please mention the date of allotment of land, Dag No.19 surrounded by Lokabandhu Nagar (Bhogargaon) to Jyoti Chitrabon. Also provide the copy of the Govt. Order published in this regards.
  - (e) Please mention the portion of the land of Lokabandhu Nagar (Bhogargaon) falls under Jyoti Chitrabon which is away from the main area of Jyoti Chitrabon. Please provide the Dag No. and trace map of this portion.
2. Reportedly on not getting any information, the petitioner filed 1<sup>st</sup> appeal before the Deputy Commissioner, Kamrup(M) on 23/9/2020.
3. The petitioner filed 2<sup>nd</sup> appeal before the Commission on 05/04/2021 and accordingly the hearing was fixed today.
4. The Public Authority is represented by Sri Kongkon Jyoti Saikia, Assistant Commissioner, Kamrup (M). The SPIO has submitted written statement dated 27/7/2021 which is taken into records.
5. When the Commission asked the appellant about the cause of action, as per the decision of Delhi High Court in Har Kisan VS President Secretariat in WP(C) 7976/2020 has decided the **“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”**. He could no clarify the specific cause of action.
6. The SPIO has submitted in his written statement that due to Covid-19 and other related issues, the RTI petition of the appellant is still pending at 1<sup>st</sup> Appellate level. In this matter, the Commission feels that this is too long period for 1<sup>st</sup> Appellate Authority to dispose the appeal petition.

7. **Therefore, the Commission directs the 1<sup>st</sup> Appellate Authority to dispose the case within 15 days of the date of receipt of this order.**
8. In view of the above, the instant 2<sup>nd</sup> appeal petition dated 5/4/2021 is disposed off.

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

Authenticated true copy.

Sd/-  
Joint Registrar i/c  
Assam Information Commission

**Memo No. SIC/KP(M).127/2021**

**Dtd.28.7.2021**

Copy to:

1. The First Appellate Authority, O/o the Deputy Commissioner, Kamrup Metropolitan District, Guwahati 01 for information and necessary action as ordered above.
2. The SPIO, O/o the Deputy Commissioner, Kamrup Metropolitan District, Guwahati (RTI Branch) for information and necessary action as ordered above.
3. The petitioner Shri Hara Kanta Bora, Lokabandhu Nagar, House No.147, Kahilipara, Guwahati for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Joint Registrar i/c  
Assam Information Commission