

**Case No.** : SIC/SSM.12/2020  
**Complainant/ Appellant** : Md Bahadur Islam  
**Respondent** : The SPIO, O/o the Deputy Commissioner, Distt. South Salmara Mankachar, P.O. Hatsingimari, PIN-783131, Assam.  
**Date of Hearing** : 02-03-2021  
**Complaint/ Second Appeal heard by** : Shri Samudra G. Kashyap.  
State Information Commissioner, Assam.

**O R D E R**  
**02-03-2021**

1. The appellant Md Bahadur Islam is absent. But he has authorised one Shri Abullah Sarkar to appear on behalf of him in today's hearing. Shri Abullah Sarkar has appeared by carrying an authorization letter duly signed by Md. Bahudar Islam.
2. The SPIO, O/o the Deputy Commissioner, P.O. Hatsingimari, Distt. South Salmara Mankachar, is absent. But the Commission has received from the D.C., Distt. South Salmara Mankachar, a written statement No. HFC-2/2016/Pt/280 dated 09.02.2021.
3. From perusal of records it is seen that the appellant Md. Bahudar Islam had submitted an RTI application before the SPIO, O/o the Deputy Commissioner, P.O. Hatsingimari, Distt. South Salmara Mankachar, on 18.06.2020. He had two queries in relation to a petition he had earlier filed in the Deputy Commissioner's office on 06.01.2020, demanding an enquiry into certain alleged manipulation by an official in matters related to mutation and registration of land. The appellant's queries were – (i) Copy of follow-up taken on his petition of 06.01.2020, and (ii) Copy of the present status of the said petition.
4. The Deputy Commissioner, Distt. South Salmara Mankachar, in his written statement has stated that information to query No. (i) was furnished by letter No. HRS-1/2019/60 dated 03.07.2020, and that information under query No. (ii) could not be provided because it does not fall within the purview of the RTI Act, 2005.
5. The appellant's representative Shri Abdullah Sarkar however pointed out that the information provided to him in response to query No. (i) was not in connection with the matter of the petition filed by Md. Bahadur Islam on 06.01.2020. Shri Abdullah Sarkar also said that while the matter of the petition of 06.01.2020 was about alleged manipulation of land records, the information provided against query No. (i) was about suspension of a Lot Mandal for his alleged negligence in flood relief duty. On examination of the written statement submitted by the Deputy Commissioner, Distt. South Salmara Mankachar, it is seen that the information to query No. (i) provided to the appellant vide letter No. HRS-1/2016/60 dated 03.07.2020, accompanied by an order of the Deputy Commissioner (reference memo No. DC/PA/Personnel/2017/07-A dated 30.06.2020), was indeed about suspension of a Lot Mandal for his alleged negligence in flood relief duty, which does not appear to have any relation to the petition of the appellant submitted to the Deputy Commissioner's Office on 16.01.2020.
6. In view of the above, the SPIO, O/o the Deputy Commissioner, Distt. South Salmara Mankachar, is directed to provide information to the appellant in relation to his RTI application with the reference to the petition filed by Md. Bahadur Islam before the Deputy

Commissioner on 06.01.2020, which relates to certain allegations of manipulation of land records. The information shall be provided within 15 (fifteen) days from the receipt of this order, free of cost, with an intimation to the Commission at the earliest.

7. With the above order, this 2<sup>nd</sup> Appeal is hereby disposed of.

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

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/SSM.12/2020/41-A**

**Dated: 02-03-2021**

Copy to:

1. The SPIO, O/o the Deputy Commissioner, Distt. South Salmara Mankachar, P.O. Hatsingimari, PIN-783135, Assam, for information and necessary action.
2. First Appellate Authority/ The Deputy Commissioner, Distt. South Salmara Mankachar, P.O. Hatsingimari & P.S.- Mankachar, PIN-783135, Assam, for information.
3. The petitioner, Md. Bahadur Islam, S/o- Late Afsar Ali, Vill- Charkasharipara, P.O. Fulerchar, P.S. Sukchar, Distt. South Salmara Mankachar, PIN-783135, for information.
4. Computer section for uploading in the website
5. Office File
6. Order Book

Secretary & Registrar  
Assam Information Commission