



RIGHT TO
INFORMATION



OFFICE OF THE

ASSAM INFORMATION COMMISSION

JONAKEE COMPLEX, SHILPGRAM ROAD, PANJABARI, GUWAHATI- 781037

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Case No. : SIC/ NGN.237/2017
Appellant : Mr. Saptarshee Bordoloi
Respondent : The SPIO, Office of the Deputy Commissioner, Nagaon, Dist.
Nagaon, Pin – 782001.
Date of hearing : 22-05-2018
Second Appeal heard by : Nilufer Alam Hazarika, IAS(Retd.)
State Information Commissioner, Assam

O R D E R

22-05-2018

The petitioner Mr. Saptarshee Bordoloi had authorized his mother Smti Bharati Baruah to appear for the hearing today. She is assisted by Sri Dibyajyoti Barua and Sri Robin Duwarah, Advocates. The public authority to be represented by the Addl. Deputy Commissioner (Rev.), Nagaon is absent without any intimation.

Smti Barua has submitted a written statement today that the land sale permission dt. 11-1-2017 was given to her on 18-5-2018 after filing his 2nd Appeal before the Commission on 25-1-2018 through a special messenger.

She also stated that NOC for the period from 1993 – 2004 had been furnished, but NOC from 2004 -2017 has not been furnished and hence the information furnished is incomplete.

It was also stated that vide letter dt. 8-12-2017 issued by the office of the Deputy Commissioner, Nagaon, Sri Kanti Prasad Choudhury, Sri Prabin Barua, Sri Brij Mohan Khederia and Smti Lakshmi Prasad were asked to reply within 7 days whether the information would be provided to the applicant who is a 3rd party. Out of 2 kathas 17 lechas, out of which 1 katha was sold to Smti Lakshmi Prasad. She stated that the A.D.C. Nagaon vide letter dated 8-1-2018 informed Sri Saptarsee Bordoloi that the information was not provided because there was objection.

She also stated that on 26-7-2017 she had filed an application before the Circle Officer, Nagaon mentioning that the purchase and sale of the land is to be stopped as there is conspiracy going on in respect of her land and that Sri Kanti Prasad Choudhury, Sri Prabin Barua and Sri Brij Mohan Khederia were jointly involved in the matter.

She stated that the information was received on 18-5-2018, and upto date records were not furnished, it took six months to furnish the information, as a result of which the Appellant had to visit the related offices frequently with regard to her RTI application thereby spending a lot of money and time. Being a widow, she suffered a lot, both physically and mentally and she and her family were also threatened. Due to delay in furnishing the information, which was also

Incomplete and doubtful (she stated verbally that the information furnished was a photocopy and not attested by the concerned authority). He requested the Commission to impose penalty U/S. 20 of the RTI Act as the information was not furnished within stipulated time as specified by the RTI Act, 2005.

In view of the facts stated above, the Commission directs the Addl. Deputy Commissioner, Nagaon and Sub-Registrar, Nagaon to furnish attested copy of the land sale permission and the NEC furnished for the period 1993 – 2004. The Sub-Registrar, Nagaon will also furnish non-encumbrance certificate up to 2017 within 15 days from the date of receipt of this order. The public authority is also directed to show cause within 15 days as to why penalty U/S. 20(1) of the RTI Act shall not be imposed on them for not furnishing the information within stipulated time.

Fix 3-7-2018 for hearing at 12 noon.

Sd/-

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

Authenticated true copy

Sd/-
Joint Registrar
Assam State Information Commission

Memo No. SIC/ NGN.237/2017/IS
Copy to:

Dtd. 22-05-2018.

1. The SPIO, Office of the Deputy Commissioner, Nagaon, Dist. Nagaon, Pin – 782001, Assam for information and necessary action.
2. The First Appellate Authority/ Office of the Deputy Commissioner, Nagaon, Dist. Nagaon, Pin – 782001, Assam for information and necessary action.
3. The petitioner Mr. Saptarsee Bordoloi, S/O Smt. Bharati Baruah, Vill. Town Teliagaon, P.O. Itachali, P.S. Sadar, Nagaon, Dist. Nagaon, Assam, Pin – 782003, for information.
4. Computer Section for uploading in the Website.
5. Office File.


Joint Registrar
Assam State Information Commission

