



OFFICE OF THE

ASSAM INFORMATION COMMISSION

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Case No. : SIC/KP(M).19/2021
Appellant/Complainant : Smti. Babita Das
Respondent : The SPIO, O/o the Circle Officer, Dispur Rev. Circle
Date of hearing : 28.12.2021
Second Appeal/Complaint
heard by : Sri Kanak Ch. Sarma
State Information Commissioner, Assam

O R D E R

15.07.2022

The appellant is represented by her learned advocate Sri Sudarshan Narayan Adhyapak. Sri Chinmoy Neog, Circle Officer, i/c Dispur Rev. Circle and SPIO is present and submits written statement vide letter no. DIS-42/2017/3151 dated 17.12.2021 on the written statement submitted by learned advocate of the complainant dated 29.09.2021.

Perused the case record. The complainant Smt. Babita Das submitted one application dated 09.10.2020 under the RTI Act, 2005 before the SPIO, o/o the Dispur Rev. Circle seeking some informations. The applicant did not receive the desired informations within the stipulated period of time for which she served one notice dated 01.12.2020 to the PIO, Dispur Rev. Circle about non-receipt of the desired informations. Still she did not receive the sought for informations and preferred complaint petition dated 11.01.2021 before the Commission.

The Circle Officer, Dispur Rev. Circle through letter no. DIS-42/2017/734 dated 26.04.2021 informs the Commission that the sought for informations had already been furnished to the complainant Smt. Babita Das through letter no. DIS-42/2017/2579 dated 15.12.2020. But the learned advocate of the applicant has denied to have received any such letter from the o/o the Dispur Rev. Circle. On the day of hearing dated 06.09.2021, the Circle Officer, Dispur Rev. Circle informs the Commission that the letter of his office bearing no. DIS-42/2017/2579 dated 15.12.2020 has been received by the applicant on 13.08.2021 only.

The learned advocate of the applicant submits orally that the letter no. DIS-42/2017/2579 dated 15.12.2020 has been received by his client on 13.08.2021 only whereby she has been informed that the sought for informations could not be furnished since it is personal informations of third party. As per direction of the Commission, the appellant submitted an affidavit on 29.09.2021 and the SPIO and Circle Officer, Dispur Rev. Circle submitted written statement against this affidavit on 17.12.2021.

Seen the RTI application dated 09.10.2020. The petitioner desires to have copies of application form and all other documents submitted with regard to the Mutation case no. 2356/2012-13/OMUT-BL. Further, she desires to have copy of (Hathor Jamabandi) and

(Pratibedon) mentioned on the remark column of Jamabandi of K.P.P. no. 684 of village Betkuchi on 26.08.2020 and requested to clarify this remark.

From a plain reading of the application, it is observed that the first point i.e. application form and all other documents with regard to mutation case no. 2356/2012-13/OMUT-BL is a matter of record maintained by the o/o the Circle Officer, Dispur Rev. Circle. The case record of any mutation case in Rev. Circle office is a matter of record, therefore, it is an information but 2nd point of the application to clarify one remark which is not maintained as record.

Therefore, the SPIO, o/o the Circle Officer, Dispur Rev. Circle is directed to furnish the informations in respect of point number 1 of the RTI application dated 09.10.2020 to the complainant Babita Das. In respect of point number 2, since it is not a record, this may not be furnished.

Seen the complaint dated 11.01.2021. Although it's a complaint petition, but it is not submitted under section 18(1) of the RTI Act, 2005 and the complainant has not prayed for any punishment to be imposed upon the SPIO, hence no penalty is imposed under section 20(1) of the Act. However, the SPIO of Dispur Rev. Circle is cautioned to furnish informations against RTI petition timely in future.

With the above directions, the petition dated 11.01.2021 is disposed of.

Sd/-

(Kanak Ch. Sarma)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/KP(M).19 /2021

Dtd.15.07.2022

Copy to:

1. The SPIO & Circle Officer, Dispur Rev. Circle, Guwahati- 29, Assam for information and necessary action.
2. The Appellant/Complainant, Smti. Babita Das, Advocate, H/No. 20, Satabdi Nagar, Near Betkuchi L.P. School, Lokhra, Guwahtai- 40, Assam for information.
3. Computer Section for uploading the order in the Website.
4. Office File.

Registrar
Assam Information Commission