

OFFICE OF THE
ASSAM INFORMATION COMMISSION

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Case No. : SIC/MJLI 1/2022
Complainant/ Appellant : Sri Atul Bhuyan
Respondent : The SPIO, O/o the Deputy Commissioner,
Garamur, Dist. Majuli, Assam 785104
Date of Hearing : 29/10/2022
Complaint/ Second : Dr. A.P.Rout,
Appeal heard by State Chief Information Commissioner, Assam

O R D E R
29/10/2022

1. The petitioner Sri Atul Bhuyan has filed one RTI petition before the PIO, O/o the Deputy Commissioner, Garamur, Majuli District on 10.5.2022 seeking following information:
 - (i) Furnish the certified copy of petition filed against the Miyadi Patta No. 181 (Garamur Jugi Pathar) under Majuli Revenue Circle Kamalabari, Majuli.
 - (ii) Furnish the certified copy of Survey Report of the site of Miyadi Patta No. 181 (Garamur Jugi Pathar) under Majuli Revenue Circle, Kamalabari, Majuli.
 - (iii) Furnish the certified copy of entire note sheet or file in respect cancellation process of Miyadi Patta No.181 (Garamur Jugi Pathar) under Majuli Revenue Circle, Kamalabari, Majuli.
 - (iv) Furnish the certified copy of Order passed for the cancellation of Miyadi Patta No.181 (Garamur Jugi Pathar) under Majuli Revenue Circle, Kamalabari, Majuli.
 - (v) Furnish the name of the Officer and other staffs with their ranks inspected the site of Miyadi Patta No.181 on the base of petition filed for its cancellation.
2. Reportedly on not getting any information, the petitioner filed 1st appeal before the 1st Appellate Authority cum The Deputy Commissioner, Garamur, Majuli District, Assam on 13.6.2022 and then he filed 2nd appeal before the Commission on 26.7.2022.

Accordingly, the matter was taken up for hearing.
3. The petitioner Sri Atul Bhuyan is present.
4. The Public Authority to be represented by SPIO, O/o the Deputy Commissioner, Garamur, Dist. Majuli, Assam is absent.
5. The Additional Deputy Commissioner cum SPIO, Majuli, Garamur vide WT Message dated 28.10.2022 intimated that the RTI petition was forwarded to the Circle Officer, Majuli Revenue Circle on 2.7.2022 whereas the RTI petition was sent on 10.5.2022 and received on 11.5.2022.
6. As per the provision of Section 6(3) of the RTI Act, 2005 the letter should have transferred within five days.

Section 6(3) in The Right To Information Act, 2005

(3) Where an application is made to a public authority requesting for an information,—

(i) which is held by another public authority; or

(ii) the subject matter of which is more closely connected with the functions of another public authority, the public authority, to which such application is made, shall transfer the application or such part of it as may be appropriate to that other public authority and inform the applicant immediately about such transfer:

Provided that the transfer of an application pursuant to this sub-section shall be made as soon as practicable but in no case later than five days from the date of receipt of the application.

7. In the instant case, it is not understood why the SPIO of DC Majuli kept it pending for so long in violation of the provision of the RTI Act,2005.
8. In light of the above, the Commission has decided to hear the matter again and directed the SPIO, O/o the Deputy Commissioner, Majuli to ensure attendance of the SPIO, Office of the Circle Officer, Majuli Revenue Circle, Kamalabari to personally remain present on the next date of hearing and explain why no penalty u/s 20 of the RTI Act,2005 to be imposed on him/her for not furnishing the information on time.
9. **Fix next date of hearing.**

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ MJLI 1/2022

Dtd. 29.10.2022

Copy to:

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1. The SPIO, O/o the Deputy Commissioner, Garamur, Dist. Majuli, Assam 785104 for information and necessary action. He/She is to remain present on the next date of hearing.
2. The SPIO, Office of the Circle Officer, Majuli Revenue Circle, Kamalabari Assam for information and necessary action. He/She is to remain present on the next date of hearing
3. The petitioner Sri Atul Bhuyan, Prof. (Retd.) Majuli College, Vill. Gopalpur, P.O. Garamur Satra Majuli, Dist. Majuli 785104 for information. He is to remain present on the next date of hearing.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar
Assam Information Commission