



**OFFICE OF THE  
ASSAM INFORMATION COMMISSION**

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Case No. : SIC/KAN.6 /2019  
 Appellant : Sri Tapan Timung  
 Respondent : The SPIO, O/o the Executive Engineer, Hamren PWD Roads Division, Hamren, Dist.- West Karbi Anglong, Assam  
 Date of hearing : 30.04.2019  
 Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)  
 State Information Commissioner, Assam

**O R D E R**

30.04.2019

Sri D.D. Sarma, Executive Engineer, PWD Roads Hamren Division is present along with Sri A.B. Gohain, Junior Engineer. He submitted a Written Statement dated 29.04.2019.

The Petitioner, Sri Tapan Timung is present. He submitted that he had neither received the information he had sought for through his RTI Application dated 26.06.2018 nor any response from the SPIO or the First Appellate Authority/Principal Secretary, Karbi Anglong Autonomous Council (KAAC), Diphu.

Heard the EE and perused his Written Statement. It is seen that the written submission was completely irrelevant to the instant RTI Application and Second Appeal case. Neither the EE nor the JE of the Division accompanying him are familiar with the instant case. It appears that they had not read the Commission's notice of the hearing dated 28.03.2019, and its enclosures, namely, the RTI Application dated 26.06.2018, the First Appeal dated 29.08.2018 and the Second Appeal dated nil and therefore unable to present their case before the Commission. The EE submitted that all project implementing authorities have been directed to forward all RTI Applications to the Karbi Anglong Autonomous Council (KAAC) for their disposal centrally. He however, assured that he would now deal with the Application and furnish the information urgently.

The Commission observes that the aforementioned decision of the KAAC directing project implementing authorities to forward RTI Applications to the Council authorities is not in accordance with Section 2 (h) of the RTI Act, 2005 wherein the term Public Authority has been defined. According to the Act, each Public Authority is mandated to provide information to RTI Applicants through its SPIO.

In view of the facts brought out above, **the Commission hereby orders that the SPIO, office of the EE, Hamren PWD Roads Division shall furnish the information to the Appellant, free of cost, within 15 days of receiving this order.**

**The Second Appeal is hereby disposed of.**

Sd/-

Pinuel Basumatary IA & AS (Retd.)  
 State Information Commissioner, Assam  
 Panjabari, Guwahati

Authenticated true copy

Sd/-  
 Joint Registrar  
 Assam Information Commission

**Memo No. SIC/KAN.6 /2019**

**Dtd.30.04.2019**

Copy to:

1. The SPIO, O/o the Executive Engineer, Hamren PWD Roads Division, Hamren, Dist.- West Karbi Anglong, Assam for information and necessary action.
2. The First Appellate Authority/The Principal Secretary, Karbi Anglong Autonomous Council (KAAC), Diphu, Assam for information.
3. The Appellant, Sri Tapan Timung, No. 1, Tokhadi, PO- Doyangmukh, PS- Kheroni, Pin- 782 448, Dist.- West Karbi Anglong, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar  
Assam Information Commission