

**Case No.** : SIC/LPR.13/2021  
**Complainant/ Appellant** : Shri Sunanda Hazarika and Shri Dipankar Hazarika.  
**Respondent** : The SPIO, O/o the Thengal Kachari Autonomous Council, Titabor, Assam.  
**Date of Hearing** : 22-03-2022  
**Complaint/ Second Appeal heard by** : Dr. Samudra G. Kashyap.  
State Information Commissioner, Assam

**O R D E R**  
**22-03-2022**

1. The appellant Shri Sunanda Hazarika and Shri Dipankar Hazarika are present.
2. Shri Diganta Saikia, SPIO and Junior Engineer, Thengal Kachari Autonomous Council, Titabor is present.
3. From perusal of records it is seen that Shri Sunanda Hazarika and three others namely Shri Kesab Neog, Shri Dipankar Hazarika and Shri Dipjyoti Bora had submitted one RTI application to the SPIO, Thengal Kachari Autonomous Council, Titabor, on 12.10.2020, seeking informations about allocations of funds and implementation of programmes under those funds in the Council from 2016 to 2020. The SPIO, Thengal Kachari Autonomous Council, Titabor, failed to dispose the RTI application within the time frame laid down in the RTI Act, 2005, but wrote to the appellants on 04.01.2021 requesting them to inspect the informations because the informations sought are voluminous in nature. On 04.02.2021 the appellants wrote back to the SPIO stating that inspection of documents was in contravention to the RTI Act, 2005; this however is not correct, because the Act in Section 2 (j)(1) provides for scope of inspection of documents in a Public Authority. On 07.06.2021 the appellants wrote a letter to the Deputy Commissioner, Jorhat, with a request to take appropriate measures so that they could get the informations sought. On 13.07.2021 the appellants sent a petition to the Information Commission and informed about non-receipt of informations against their RTI Application. On 23.08.2021 the appellants submitted a 1<sup>st</sup> Appeal to the Thengal Kachari Autonomous Council, Titabor. On not receiving any response from the FAA of the Council, the appellants submitted a 2<sup>nd</sup> Appeal in this Commission on 19.10.2021, and hence today's hearing.
4. During today's hearing, the SPIO Shri Diganta Saikia admitted that he had failed to dispose the RTI application of 12.10.2020 within the stipulated period due to the prevailing pandemic situation. But he pointed out that he had indeed written to the appellants on 04.01.2021 requesting them to inspect the documents available. During the hearing the appellants expressed apprehension that various records and documents of the developmental activities undertaken by the Thengal Kachari Autonomous Council, Titabor, had not been properly maintained. The SPIO Shri Diganta Saikia however said that he has no problem if he is directed to once again request the appellants to inspect the documents available.
5. During the hearing today it has come to the notice of the Commission that there has been very little initiative by the Thengal Kachari Autonomous Council, Titabor, to implement the RTI Act, 2005, in maintaining various records in the procedures laid down in the Act and making available various informations through the public domain for the benefit of the citizens.
6. **In view of the above the SPIO, Thengal Kachari Autonomous Council, Titabor, is directed to fix a date convenient to both sides to facilitate inspection of the records from which the appellants have sought certain informations. The date of inspection shall be fixed within 15 (fifteen) days from the date of receipt of this order. The appellants shall select some**

pages from the available records and submit a list to the SPIO, who will arrange for photocopying of the same and furnish them to the appellants within 7 (seven) days from the date of inspection.

7. In view of the fact that all do not appear to be well in the Thengal Kachari Autonomous Council, Titabor, as far as the implementation of the RTI Act, 2005 is concerned, the Principal Secretary, Thengal Kachari Autonomous Council, Titabor, is hereby directed to implement provisions laid down in Section 4 of the RTI Act, 2005, and submit a report to the Commission within 30 (thirty) days from the date of receipt of this order without fail.
8. In view of the above this 2<sup>nd</sup> Appeal is hereby disposed of.

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

Authenticated true copy.


Sd/-  
Secretary & Registrar  
Assam Information Commission

**Memo No. SIC/LPR.13/2021/20-A**

**Dated: 22-03-2022**

Copy to:

1. The SPIO, O/o the Thengal Kachari Autonomous Council, Titabor, Assam, for information and necessary action.
2. The Principal Secretary, Thengal Kachari Autonomous Council, Titabor, Assam, for information and necessary action.
3. First Appellate Authority/ Thengal Kachari Autonomous Council, Titabor, Assam, for information.
4. The petitioner, Shri Sunanda Hazarika, Vill No.2, Parbatipur, P.O. Merbill, P.S.Laluk, Distt. Lakhimpur, PIN Code 784160, Assam, for information and necessary action.
5. Computer section for uploading in the website.
6. Office File.
7. Order Book.

  
Secretary & Registrar  
Assam Information Commission.