



OFFICE OF THE  
ASSAM STATE INFORMATION COMMISSION  
JONAKEE COMPLEX, PANJABARI, GUWAHATI-781 037

Case No. : KRJ.03 /2014

Complainant/ appellant : Shri Ambika Giri Roy

Respondent : Joint Director, Health Services, (Birth & Death),  
Kokrajhar, BTC.

Date of hearing : 02.11.2015

Complaint/ Second : Shri Pinuel Basumatary, IA&AS ( Retd)  
appeal heard by : State Information Commissioner, Assam

**O R D E R**  
02.11.2015

Both the parties are absent.

Perused the records in the Second Appeal Case.

The following dates are relevant.

12.2.14	RTI Application submitted to Jt. Director, Health Services, Kokrajhar, BTC.
21.6.14	Preferred First Appeal
2.7.14	Transfer of Application
10.10.14	Second Appeal Filed before the Commission
12.10.15	Hearing Notice.

No written submission received from SPIO. In the absence of which it could not be determined as to whether the SPIO has supplied the information to the Applicant subsequent to his filing the Second appeal on 10.10.14 or subsequent to receiving the Commission's hearing notice No. SIC/KRJ.3/2014/11 dtd.12.10.15

Through the said hearing notice, the Commission had directed the SPIO to explain as to why penalty u/s 20 (1) of the RTI Act, 2005 should not be imposed on him for his failure to furnish the information to the Applicant within the stipulated period of 30 days. He was directed to make submission before the Commission before start of hearing. He was also informed that he would be given the opportunity of being heard in person before passing any order relating to imposition of penalty per provision of the said Act.

The SPIO has neither submitted a written statement nor attended the hearing today. It is evident that the SPIO has not only failed to comply with the provisions of the said Act in the matter of timely furnishing of information to the RTI Applicant but

also appear before the Commission in connection with the Second Appeal filed by the applicant Shri Ambika Giri Roy.

After a careful consideration of the facts of the case, the Commission hereby orders that the SPIO will provide the information sought for by the Appellant, if not already done, within 15 days of receipt of this order free of cost. The First Appellate Authority in the office of the Jt. Director, health Services, Kokrajhar will consider and dispose of with speaking order the First Appeal dtd. 21.6.14 submitted by the Appellant and forwarded to Jt. Director, Health Services, Kokrajhar by DHS, BTC through his letter No. DHS/BTC/RTI-68/Pt-2/08 dtd 2.7.14 within 25 days of receipt of this order.

Copies of all relevant correspondences cited may be enclosed in the copy of this order to be sent to First Appellate Authority in the office of the Jt. DHS, Kokrajhar.

Further, the Commission hereby gives another opportunity to the SPIO to explain as to why penalty u/s 21(1) of the RTI Act, 2005 shall not be imposed for his failure to provide information to the Applicant within a period of 30 days. His explanation may be submitted to the Commission by addressing himself to Secretary and Registrar of the Commission within 15 days of receiving this order.

Fix another date in 6 (six) weeks' time.

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Secretary & Registrar  
Assam State Information Commission

Memo No. KRJ.03/2014/

Dtd. 02.11.2015

Copy to:

1. The Joint Director, Health Services (Births & Deaths Authority), Kokrajhar, BTC, Kokrajhar, Assam PIN-783370 for information and necessary action.
2. Shri Ambika Giri Roy, Vill- Dimolgaon, PO- Titaguri, Dist. Kokrajhar, BTC, Assam, PIN- 783370 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Secretary & Registrar  
Assam State Information Commission