

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

Case No. : SIC/NGN.44/2013  
Appellant : Sri Narendra Prakash Chouhan.  
Respondent : The SPIO, O/o the Joint Director, Health Services (JDHS),  
Nagaon.  
Date of hearing : 28.01.2016  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**

28.01.2016

Both parties absent without information.

Perusal of the case records indicate the following sequence of significant dates:

03.04.2013 RTI Application filed with the SPIO, Office of the Joint Director, Health Services, Nagaon

20.05.2013 First Appeal filed with Joint Director, Health Services, Nagaon

10.07.2013 Second Appeal filed with the Commission

No Written Statement has been received from the SPIO. The SPIO has also not submitted any explanation as to why penalty shall not be imposed on him/her Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days.

Through the Commission's hearing notice dated 18.01.2016, the JDHS, Nagaon as First Appellate Authority (FAA) had been asked to apprise it about the steps he had taken, if any, to dispose of the First Appeal in time or to depute an authorized representative to the hearing. The JDHS, Nagaon has not complied with this direction from the Commission.

In the absence of the SPIO and Written Statements from him and the FAA, and also the absence of the Appellant, the Commission could not determine the latest position relating to furnishing of the information sought for by the Applicant/ Appellant.

Considering the abovementioned position, the Commission hereby orders that the SPIO shall furnish, if already not done, the information sought for by the Applicant/ Appellant to him, free of cost, within a period of 10 days of receipt of this order. Should any part of the information not be available on record, the same may be explained to the Appellant/Petitioner in the same communication.

The Commission further orders that the SPIO shall submit an explanation to the Commission, within 15 days of receipt of this order, as to why penalty shall not be imposed on him/her Under Section 20 (1) of the RTI Act, 2005 for his/her failure to furnish the information to the Applicant within the stipulated period of 30 days.

The JDHS, Nagaon being the FAA shall consider and dispose of the First Appeal dated 20.05.2013 filed by the Applicant/Appellant, with a speaking order, within a period of 21 days of receipt of this order.

Sd/-

Pinuel Basumatary

State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Secretary & Registrar  
Assam State Information Commission

Memo No. SIC/NGN.44/2013 -A

Dtd. 28.01.2016

Copy to:

1. The SPIO in the Office of the Joint Director, Health Services, Nagaon, PO- Nagaon, Dist- Nagaon, Assam, Pin- 782001 for information and necessary action.
2. The First Appellate Authority/ Joint Director, Health Services, Nagaon, PO- Nagaon, Dist- Nagaon, Assam, Pin- 782001 for information and necessary action.
3. Sri Narendra Prakash Chouhan, Vill & P.O.- Majarati, Dist- Nagaon, Assam, Pin- 782002 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Secretary & Registrar  
Assam State Information Commission