



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

Case No. : **KP(M).127/2013**

Complainant/ appellant : **Sri Rajiv Bhoolchand Jain**

Respondent : **Health & Family Welfare Department.**

Date of hearing : **25-02-2016**

Complaint/ Second : **Shri H.S. Das, IAS (Retd)**
appeal heard by **Chief Information Commissioner, Assam**

O R D E R

The petitioner Sri Rajiv Bhoolchand Jain is absent without any information. The public authority is represented by Sri P. K. Khound, Joint Secretary and SPIO, Health and Family Welfare Department.

In view of large number of cases pending before this Commission, the second appeal petition dated 11-1-2013 and complaint petition dated 10-4-2013 are taken up for consideration on merit, ex-parte in the absence of the petitioner/complainant.

From perusal of the case records it is seen that the petitioner Sri Rajiv Bhoolchand Jain of K-40 Jangpura Extension, New Delhi- 110 014 with Mobile No.-09810 – 397717 filed an RTI petition before the PIO of the Department of Health, Govt. of Assam. This was followed by reminder dated 1-12-2012. Not getting any reply to the above, he filed an appeal before this Commission under Section-93. This Commission returned the petition to the petitioner (16-3-2013), as this was the first appeal petition and it should have been submitted before the first appellate authority (16th March, 2013)

To this, the petitioner replied vide his letter dated 10th April, 2013 requesting to take cognizance of his appeal petition as a complaint petition under Section 18 (1) instead of 19 (3) of the RTI Act, 2005.

The SPIO and Joint Secretary, Health & Family Welfare Department, Sri P.R. Khound made a written submission dated 24th February, 2016. He has submitted that the RTI petition was transferred to the Mission Director, NRHM, Assam and the Directorate of Health Services, Assam on 17th January, 2013. He has also enclosed copies of documents to substantiate that the information sought for by the petitioner, although they were voluminous and many of which were in the form of questions, that do not fall within the ambit of the RTI Act, were furnished to the petitioner vide letters dated 21-2-2013, 25-3-2013 and 25-4-2013.

In view of the absence of the petitioner in today's hearing and in the absence of any further communication there seems to be no further course of action before this Commission.

Hence his complaint petition dated 10-4-2013 is dismissed.

**Sd/-
(H. S. Das)
Assam State Chief Information Commissioner,
Panjabari, Guwahati**

**Authenticated true copy.
Sd/-
Secretary & Registrar
Assam Information Commission**

Memo No. : **KP(M).127/2013 / -A**

Dtd. 25-2-2016

Copy to:

1. Sri. P. K. Khound , Joint Secretary and SPIO, Health and Family Welfare Department , Govt. of Assam, Dipsur, Guwahati-6 for information
2. Sri Rajiv Bhoolchand Jain K-40 Jangpura Extension, New Delhi- 110 014 for information.
3. Computer Section for uploading in the Website.
4. Office File.

**Secretary & Registrar
Assam Information Commission**