



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

Case No. : KP(R).6 /2014

Complainant/ appellant : Shri Lakhyadhar Rajabongshi

Respondent : SDM&HO, Siddhinath Sarma PHC, Rangia

Date of hearing : 5.4.2016

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

O R D E R
5.4.2016

The petitioner Shri Lakhyadhar Rajbongshi is absent without any information. The Public Authority is represented by Shri Santanu Kr. Baishya, Block Accounts Manager,, Office of the SDM&HO, Rangia PHC, Rangia.

From the case records it is seen that the petitioner Shri Lakhyadhar Rajbongshi submitted an RTI petition dtd 16.7.13 with the SPIO in the office of the Sub-Divisional Medical & Health Officer, Siddhinath Sarma PHC, Rangia. The petition was received on 16.7.13 with signature on the body of the application.

Not getting any information, the petitioner filed a First Appeal petition on 27.8.13, which was also received on the same date. It appears that no action was taken in the office of the SDM&HO, Rangia on the RTI application as well as on the First Appeal petition. Thereafter the appellant filed his Second Appeal petition before this Commission on 26.12.13.

From perusal of the RTI petition dtd 16.7.13 it is seen that the information sought for by the petitioner are admissible under the RTI Act, 2005. The SPIO in the office of the SDM&HO, Rangia PHC as well as the SDM&HO himself as the First Appellate Authority – both are responsible for their failure to comply with the provisions of the RTI Act, 2005.

In view of the above, the Commission passes the following orders:-

- (1) The information sought for by the petitioner will be furnished to the petitioner by registered post by the concerned SPIO of the office of

the SDM&HO, Rangia within 15 days from the date of receipt of this order.

- (2) The SDM&HO and the SPIO – both will submit separate written statements as to why appropriate actions shall not be initiated against them for their lapses. The written submissions are to reach this Commission on or before 30th April, 2016.

With the above order, the Second Appeal petition is disposed of.

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

Authenticated true copy.

Sd/-
Registrar
Assam Information Commission

Memo No. SIC/ KP(R).6/2014/

Dtd. 5.4.2016

- Copy to:
1. The Sub-Divisional Medical & Health Officer, Siddhinath Sarma PHC, Rangia Dist. Kamrup @, Assam for information and necessary action.
 2. The SPIO in the office of the Sub-Divisional Medical & Health Officer, Siddhinath Sarma PHC, Rangia, Dist. Kamrup (R), Assam for information and necessary action.
 3. Shri Lakshyadhar Rajbongshi, Vill- Barkuriha, PO- Titkuri, dist. Kamrup (R), Assam, PIN- 781354 for information.
 4. Computer Section for uploading in the Website.
 5. Office File.

Registrar
Assam Information Commission