

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

Case No. : SIC/KP(M).436/2016
Appellant : Sri Harinarayan Pathak
Respondent : The SPIO, O/o the Director, Health Services, Assam
Hengrabari
Date of hearing : 27.07.2016
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
27.07.2016

The petitioner Sri Harinarayan Pathak is present.

The Public Authority is represented Dr. Rajeeb Kumar Sharma, Addl. Director, Health Services & SPIO assisted by Smt. Reena Das, UDA and Sri Bijoy Sarma.

On Perusal of records, it appears that the RTI application dated 26.06.2014 was filed by the petitioner before the SPIO, office of the Director, Health Services, Hengrabari. The Joint Director, Health Services informed the petitioner vide letter dated 18.07.2014 that the public document which was sought for by him was not of the Directorate of Health Services. The petitioner filed the First Appeal before the Director, Health Services on 31.07.2014 that he had not received the information he had sought for. Since, no action was taken by the First Appellate Authority, the petitioner filed Second Appeal petition dated 24.11.2014.

The petitioner present stated that the information furnished to him by the SPIO vide letter dated 18.07.2014 was received by him on 05.08.2014 *i.e.* after filing of the First Appeal petition dated 31.07.2014 and therefore he issued a reminder dated 22.08.2014 to the First Appellate Authority. He objected that the First Appellate Authority had not taken any action on his First Appeal petition dated 31.07.2014 and reminder dated 22.08.2014.

In view of the above, the Commission remands the matter to the First Appellate Authority *i.e.* the Director, Health Services, Hengrabari for hearing and disposal of the said First Appeal with a speaking order within a period of 21 days from the date of receipt of this order.

With the above direction, the Second Appeal petition dated 24.11.2014 is disposed of. The petitioner will be at liberty to move this Commission with Appeal petition or Complaint petition, as the case may be, if he is not satisfied with the information furnished or non-disposal of his First Appeal by the First Appellate Authority.

Sd/-

Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Sd/-

Deputy Registrar
Assam Information Commission

Memo No. SIC/KP(M).436/2016/ 10 -A

Dtd. 27.07.2016

Copy to:

1. The SPIO, office of the Director, Health Services, Hengrabari, Guwahati, Assam, Pin-781036 for information and necessary action.
2. The First Appellate Authority/Director, Health Services, Hengrabari, Guwahati, Assam, Pin-781036 for information and necessary action.
3. Sri Harinarayan Pathak, Padumpukhuri, Uzan Bazaar, Guwahati-1 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Deputy Registrar
Assam Information Commission