



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

Case No. : SIC/KP(M).434/2016
Appellant : Sri Harinarayan Pathak
Respondent : The SPIO & Deputy Secretary to the Govt. of Assam,
Health & Family Welfare Department, Dispur
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 Sri P.R. Khound, ACS, Joint Secretary and SPIO, Health and Family Welfare Department.

The Joint Secretary & SPIO stated during the hearing that relevant file noting related to the RTI application dated 13.03.2014 was pending with the Senior Standing Counsel in connection with a case filed in the Hon'ble High Court and that they had requested the Senior Standing Counsel vide letter no. HLA/5/2013/RTI/124/80 dated 25.09.2014 to furnish his views, if photocopies of the note sheets of the said file could be provided to the petitioner while the matter is sub-judice.

In view of the above, the Commission hereby orders as follows:

1. The Joint Secretary & SPIO, office of the Health & Family Welfare department shall take up the matter expeditiously with the Sr. Standing Counsel and inform the petitioner accordingly within a period of 21 days from the date of receipt of this order: and
2. The First Appellate Authority and the Commissioner & Secretary to the Govt. of Assam, Health and Family Welfare Department, Dispur shall consider and dispose of the First Appeal dated 29.05.2014 with a speaking order within a period of 30 days from the date of receipt of this order.

With the above direction, the Second Appeal petition dated 08.09.2014 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).434/2016/ 14 -A

Dtd. 27.07.2016

Copy to:

1. The SPIO & Deputy Secretary to the Govt. of Assam, Health & Family Welfare Department, Dispur, Guwahati, Assam, Pin-781006 for information and necessary action.
2. The First Appellate Authority/Commissioner & Secretary to the Govt. of Assam, Health & Family Welfare Department, Dispur, Guwahati, Assam, Pin-781006 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