

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

Case No. : SIC/SBR.3/2017
Appellant : Dr. Gaya Prasad Sarmah.
Respondent : The SPIO, office of the Deputy Secretary to the Govt. of Assam,
Health & Family Welfare Department, Dispur, Guwahati – 6.
Date of hearing : 13.06.2017
Second Appeal heard by : Smt. Nilufer Alam Hazarika, IAS (Retd.)
State Information Commissioner, Assam

O R D E R
13.06.2017

The petitioner Dr. Gaya Prasad Sarmah has informed the Commission vide e-mail dtd. 13.06.2017 that he is unable to attend the hearing today i.e. 13.06.2017 due to health reasons. He alleged that Department of Health & Family Welfare Department, Dispur has no justification of denying promotion to him during his service period as well as after his retirement.

The Public Authority is represented by Sri A.S. Abdullah Barbhuyan, SPIO & Deputy Secretary, Health & Family Welfare Department. He stated that the petitioner had filed a 1st Appeal petition before the Department as he was not satisfied with the reply furnished by the SPIO. Date was fixed for hearing on 15.05.2017 and 30.05.2017, but hearing could not be held on 15.05.2017 due to absence of the petitioner and on 30.05.2017 the Public Authority was not available. He also informed that next date for hearing was fixed on 22.06.2017.

The Commission observes that the 1st Appeal petition filed by the petitioner had not been disposed of by the 1st Appellate Authority i.e. Commissioner & Secretary to the Govt. of Assam, Health & Family Welfare Department, Dispur. As such the matter is remanded to the 1st Appellate Authority for hearing and disposal of the same through a speaking order within 15 days from the date of receipt of this order.

With the above direction, the second Appeal petition dtd. 12.05.2017 is disposed of.

Sd/-

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

Authenticated true copy.

Sd/-

Joint Registrar
Assam Information Commission

Memo No. SIC/ SBR.3/2017/ 13 -A

Dtd. 13.06.2017.

Copy to:

1. The SPIO, office of the Deputy Secretary to the Govt. of Assam, Health & Family Welfare Department, Dispur, Guwahati – 6 for information.
2. The First Appellate Authority/Commissioner & Secretary to the Govt. of Assam, Health & Family Welfare Department, Dispur, Guwahati – 6 for information and necessary action.
3. Dr. Gaya Prasad Sarmah, Gaurisagar Tiniali, National Highway – 37, P.O. – Gaurisagar, Dist. – Sivasagar, Assam, Pin – 785 664 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar

Assam Information Commission