



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

Case No. : KP(M). 714/2017  
 Complainant/ Appellant : Shri Sourav Sharma  
 Respondent : SPIO of the Office of the Mission Director, National Health Mission (NHM)  
 Date of hearing : 28.08.2017  
 Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
 Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**

28.08.17

The petitioner Shri Sourav Sharma is present. The public authority is represented by :- (1) Shri A.K. Chetia, Special consultant, National Health Mission (NHM), Assam & SPIO, (2) Mrs. Sikha Borthakur, BCC Expert, NHM Assam & PIO, and (3) Mrs. Mili Roy, Data Manager, SHQ, NHM, Assam. The complaint petition dated 4.8.17 is taken up for consideration in presence of both the parties. The SPIO and Special Consultant of NHM, Assam has submitted a written statement dated 28.8.17 enclosing copies of the informations already furnished to the petitioner. The WS along with the enclosures are entered into the case records.

The petitioner submitted that part of the sought for informations were furnished to him by the SPIO of NHM vide letter dated 23.8.16 in response to his RTI petition dated 8.7.16. Another RTI petitioner Shri Nitul Das also filed an RTI petition on 3.4.17 on the same matter.

The present complainant Shri Sourav Sharma was aggrieved by the fact that informations which were not provided to him citing exemption clauses u/s 8(1) of the RTI Act, 2005 were furnished to Shri Nitul Das. Although Shri Nitul das's petition was after Shri Sourav Sharma's. Being thus aggrieved, Shri Sourav Sharma filed his complaint petition dated 4.8.17 before this Commission. Shri A.K. Chetia, Special Consultant and SPIO of NHM, Assam clarified that the officers handling the RTI petitions of Shri Sourav Sharma and Shri Nitul Das were different. They interpreted

the exemption clauses under section 8(1) of the RTI Act, 2005 differently, leading to differential treatments in dealing with the two RTI applications of Shri Sourav Sharma and Shri Nitul Das. The SPIO stated unequivocally that there was no malafide intention and the same informations were later furnished to Shri Sourav Sharma also when he pointed out the discrepancy. The petitioner Shri Sourav Sharma accepted the clarification. However, he submitted that after going through the informations thoroughly if he needs any further clarification, then he would like to inspect the relevant records in the office of the NHM, Assam.

In view of the above, the Commission, therefore, directs the SPIO and Special Consultant, NHM, Assam to allow the petitioner to inspect the relevant documents and records, if he desires to do so, within 15 days from the date of this order which was pronounced in presence of both the parties and also allow him to take notes and photocopies of documents required by him free of cost up to 20 copies and thereafter on payment of Rs. 2.00 for every page of additional photocopy.

With the above order, the complaint petition dated 4.8.17 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(M). 714/2017/

Dtd. 28.08.2017

Copy to:

1. The SPIO of the Mission Director, National Health Mission, Assam, Saikia Commercial Complex, Srinagar Path, Christianbasti, G.S. Road, Guwahati-5 for information and necessary action.
2. Shri Sourav Sharma, Reporter, News Time, Assam, Bhangagarh, Guwahati- 5 for information.
3. Computer Section for uploading in the Website.
4. Office File.
5. Order Book.

Registrar  
Assam Information Commission