

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

Case No. : SIC/DRN.40/2017  
Appellant : Md. Amir Hussain  
Respondent : The SPIO, O/o the Joint Director of Health Services, Darrang  
Date of hearing : 25.08.2017  
Second Appeal heard by : Shri Pinuel Basumatary,  
State Information Commissioner, Assam

**O R D E R**  
25.08.2017

The Appellant, Md. Amir Hussain is present.

The SPIO absent without information. He has not submitted any Written Statement and also has not explained as to why penalty U/S 20 (1) of the RTI Act, 2005 should not be imposed on him for his failure to furnish the information within the time stipulated.

The First Appellate Authority/Joint Director of Health Services, Darrang has not apprised the Commission about the steps he might have taken to dispose of the First Appeal in accordance with the RTI Act, 2005.

The Commission decided to conduct the hearing proceedings *ex parte* of the SPIO considering that the Appellant is present and that the information was sought for over six months back.

Perusal of the case record indicates that the Appellant had sought through his Application dated 07.02.2017 information relating to VHSC which is stated to be part of NHM under Joint Director of Health Services of the District. It is not understood as to under what circumstances, the SPIO has not furnished the information in compliance with the said Act.

Heard the Appellant. He submitted that he has not received the information he had sought for or any decision to his First Appeal dated 01.04.2017.

In the absence of the SPIO and any Written Statement from him, the Commission could not ascertain as to whether any action was taken for furnishing the information. It is also not know whether the First Appeal was disposed of by the FAA.

In view of the facts brought out above, the Commission hereby orders as follows -

- (i) The SPIO, O/o the Joint Director of Health Services, Darrang shall furnish the information sought for by the Appellant, free of cost, within 10 days of receipt of this order, and
- (ii) The SPIO, O/o the Joint Director of Health Services, Darrang shall submit an explanation as to why penalty U/S 20 (1) of the RTI Act, 2005 should not be imposed on him for his failure to furnish the information within the time stipulated. The explanation shall be submitted to the Commission within 15 days of receipt of this order.

Sd/-

Pinuel Basumatary  
State Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true Copy

Sd/-

Registrar i/c  
Assam State Information Commission

Copy to:

1. The SPIO, O/o the Joint Director of Health Services, Darrang, Dist- Darrang, Assam, Pin- 784 125 for information and necessary action.
2. The First Appellate Authority/Joint Director of Health Services, Darrang, Dist- Darrang, Assam, Pin- 784 125 for information.
3. The Appellant, Md. Amir Hussain, C/o- Lt. Asaruddin Ahmed, Vill- Santipukhuri, PO- Santipukhuri, PS- Sipajhar, Dist- Darrang, Assam, Pin- 784 144 for information.
4. Computer Section for uploading in the Website.
5. Office File.

Registrar i/c  
Assam State Information Commission