



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

Case No. : KP(M).74/2018  
Complainant/ Appellant : Dr. Manjula Das  
Respondent : Health & Family Welfare Department, Govt. of Assam  
Date of hearing : 3.5.2018  
Complaint/ Second : Shri H. S. Das, IAS (Rtd)  
Appeal heard by : Chief Information Commissioner, Assam

**O R D E R**

3.5.18

Dr. Manjula Das as well as the public authority represented by Shri A.S. Abdullah Barbhuyan, Deputy Secretary, Health & Family Welfare Department, Govt. of Assam – both are present.

From perusal of the case records it is seen that the petitioner filed an RTI petition dated 21.6.16 followed by a first appeal petition dated 27.7.16. From perusal of the RTI petition it is seen that the informations sought for by the petitioner relating to her service matters and those of one of her colleagues Dr. Jogeswar Barman, are admissible under the RTI Act, 2005. It is also seen from the case records that the Addl. Secretary and first appellate authority of Health & Family Welfare Department heard the first appeal petition on 29.12.16 directing the SPIO of Health & Family Welfare Department to furnish the sought for informations to the petitioner Dr. Manjula Das within 15 days, free of cost. From the second appeal petition dated 25.1.18 and from the hearing today it transpired that the SPIO of Health & Family Welfare Department is yet to furnish the sought for informations in spite of clear orders from the first appellate authority to do so. The SPIO of Health & Family Welfare Department Shri A.S. Abdullah Barbhuyan is, therefore, directed to:-

- (i) furnish the sought for informations to the petitioner free of cost within 7 days from the date of this order, which was pronounced in presence of both the parties. The petitioner expressed her desire to collect the sought for informations and documents by hand from the SPIO of Health & Family Welfare Department. She will do so after giving one day's notice to the SPIO.
- (ii) The SPIO of Health & Family Welfare is directed to explain in writing within 7 days from the date of this order, which was pronounced in his presence as to why penalty u/s 20 of the RTI Act, 2005 shall not be imposed on him for his failure to furnish the informations within the stipulated time of 30 days and reply to the RTI petition dated 21.6.16 and also after clear order passed by the first appellate authority of Health & Family Welfare Department on 29.12.16.

(H. S. Das)  
Chief Information Commissioner, Assam  
Panjabari, Guwahati

Authenticated true copy.

Registrar  
Assam Information Commission

Memo No. SIC/KP(M).74/2018/

Dated. 3.5.2018

Copy to:

- 1 Shri A.S. Abdullah Barbhuyan, Deputy Secretary & SPIO of Health & Family Welfare Department, Govt. of Assam, Dispur, Guwahati- 6 for information and necessary action.
2. Dr. Manjula Das, Natun Sarania Achala Bhuyan Rad, House No. 5, Bye lance 3, Guwahati- 781 003 for information.
4. Computer Section for uploading in the Website.
5. Office File.
6. Order Book.

Registrar  
Assam Information Commission