



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

Case No. : SIC/DMJ.43/2017
Appellant : Sri Premananda Talukdar
Respondent : The SPIO, O/o the Joint Director of Health Services, Dhemaji,
PO & Dist.- Dhemaji, Assam

Date of hearing : 18.06.2018
Second Appeal heard by : Sri Pinuel Basumatary, IA & AS (Retd.)
State Information Commissioner, Assam

O R D E R
18.06.2018

The Appellant, Sri Premananda Talukdar is present.

The SPIO absent without information.

The SPIO 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.

Considering that the Appellant is present and the RTI Application has been pending for over seven months, the Commission decided to go ahead with the hearing proceedings *ex parte* of the SPIO.

Heard the Appellant. He submitted that as instructed by the SPIO, he had visited his office during which he was told that the Public Authority did not hold some of the information sought for such as licensing of pharmacies. The Appellant added that the SPIO could not assure furnishing of the information held by his office and that he has not received any further communication since.

Perused the case record. It is seen that he had sought certain information relating to number of pharmacies and government or private laboratories etc. in Dhemaji district.

The Commission does not find any evidence of action taken by the SPIO to provide the information and to transfer the parts of the Application to the authority/authorities who hold the information.

Considering the facts and the submission made by the Appellant, **the Commission hereby orders that the SPIO shall furnish the information held by the Public Authority, free of cost, within 15 days of receipt of this order and transfer the rest to the SPIO(s) of the concerned Public Authority/Authorities in accordance with the provisions of the RTI Act, 2005.**

The Second Appeal is hereby disposed of. Should the Commission receive any Complaint of non-compliance from the Appellant, the issue of imposition of penalty U/S 20(1) of the said Act shall be taken up.

Sd/-
Pinuel Basumatary IA & AS (Retd.)
State Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy

Sd/-
Joint Registrar
Assam Information Commission

Memo No. SIC/DMJ.43/2017/10-A

Dtd.18.06.2018

Copy to:

1. The SPIO, O/o the Joint Director of Health Services, Dhemaji, PO & Dist.- Dhemaji, Assam for information and necessary action.
2. The First Appellate Authority/Joint Director of Health Services, Dhemaji, PO & Dist.- Dhemaji, Assam for information.
3. The Appellant, Sri Premananda Talukdar, Vill- Bordoloni Tiniali, PO- Bordoloni, Dist.- Dhemaji, Assam, Pin- 787 026, Assam for information.
4. Computer Section for uploading in the Website.
5. Office File.

Joint Registrar
Assam Information Commission