

**Case No.** : SIC/KPM 399/2021  
**Complainant/ Appellant** : Md. Tousif Hussain Reza  
**Respondent** : SPIO, Directorate of Health Services (Family Welfare), Hengrabari, Guwahati  
**Date of Hearing** : 11/03/2022  
**Complaint/ Second Appeal heard by** : Dr. A.P.Rout,  
State Chief Information Commissioner, Assam

**O R D E R**  
**11/03/2022**

1. The petitioner Md. Tousif Hussain Reza has filed one RTI petition before the SPIO, O/o the Director, Directorate of Health Services (Family Welfare), Hengrabari, Guwahati on 23.9.2021 seeking 15 number of information.
2. On non receipt of any information, the petitioner filed 1<sup>st</sup> appeal before the 1<sup>st</sup> Appellate Authority, O/o the Director, Directorate of Health Services (Family Welfare), Hengrabari, Guwahati on 20.10.2021 and then he filed 2<sup>nd</sup> appeal before the Commission on 10.12.2021.  
Accordingly, the matter was taken up for hearing.
3. The petitioner Md. Tousif Hussain Reza is present. The petitioner said that he has not got any information.
4. The Public Authority to be represented by SPIO, Directorate of Health Services (FW), Hengrabari is absent.
5. The SPIO has submitted a written statement dated 5.3.2022 stating that the petition is forwarded to the Director of Medical Education, Six Mile, Khanapara, Guwahati on 26.10.2021 i.e., 1 month 3 days after receipt of the RTI petition.
6. As per Section 6(3) of the RTI Act, 2005 the transfer of petition should have been within five days. Hence, the SPIO of Directorate of Health Services (FW) Hengrabari, Guwahati has violated the RTI Act. Further, as per notice for appearance at the hearing, it was the responsibility of the original SPIO to intimate to the transferred SPIO and seek his presence at the hearing which the Directorate of Health Services has miserably failed.
7. Further, the petition was transferred to Director of Medical Education, Six Mile, Khanapara, Guwahati 22, it seems that no action is taken by the concerned SPIO.
8. In light of it, the presence of Under Secretary, Department of Health, Government of Assam, Dispur, SPIO of Directorate of Health Services (FW), Hengrabari, Guwahati and SPIO of Director of Medical Education, Six Mile Khanapara, Guwahati are required on the next date of hearing.
9. **Fix 29.3.2022 at 12:15 PM as the next date of hearing.**

Sd/-  
(Dr. A.P. Rout)

Authenticated true copy.

Sd/-  
Secretary & Registrar  
Assam Information Commission



Copy to:

1. The Principal Secretary, Health & Family Welfare Department, Dispur 781006 to ensure presence of both the SPIOs on the next date of hearing to throw light on the provisions of RTI Act.
2. The Under Secretary, Health & Family Welfare Department, Government of Assam, Dispur, Guwahati 781006 for information and necessary action. He is to remain present on the next date of hearing.
3. The SPIO , O/o the Director of Health Services (FW), Assam, Swasthya Bhawan, Hengrabari, Guwahati 36 for information and necessary action. He is to remain present on the next date of hearing.
4. The SPIO, Director of Medical Education, Six Mile, Khanapara, Guwahati 22 for information and necessary action. He is to remain present on the next date of hearing.
5. The petitioner Md. Tousif Hussain Reza, R/o House No.4,Hedyatpur, Opp. ASEB Building Office,Near Guwahati Club, Guwahati 781003 for information. He is to remain present on the next date of hearing.
6. Computer Section for uploading in the Website.
7. Office File.
8. Order Book.

Secretary & Registrar  
Assam Information Commission