RIGHT TO INFORMATION

TRIPURA INFORMATION COMMISSION
Annual Report 2016-2017

RTI-transparency in governance

TRIPURA INFORMATION COMMISSION
Secretariat Annexe Building
Pandit Nehru Complex, Agartala, Tripura

SYNOPSIS

1	(i) No. of First Appellate Authority		118
	(ii) No. of SPIO		1621
	(iii) No. requests received		6794
	(iv) No. of requests disposed		6739
	(v) No. of request pending		55
	(vi) No. of requests rejected		13

2. **Classification of information:**

I	Highest number of petitions under service related information is received by the f Home Department	115
ii	Highest number of petitions under project related information is received by the Panchayat Department	88
Iii	Highest number of petitions under government scheme related information is received by the Panchayat Department	145
Iv	Highest number of petitions under government policy related information is received by the Health Services	58
V	Highest number of petitions under examination related information is received by the Tripura Public Service Commission	231
Vi	Highest number of petitions under service delivery related information is received Services ICFAI University	1
Vii	Highest number of petitions under land related information is received by the Land Record & Settlement Department	2425
Viii	Highest number of petitions under recruitment related information is received by the Directorate of Social welfare & Social Education & Tripura Public Service Commission	42
Ix	Highest number of petitions under any other information is received by the Home Department	261

3. Total Fees Collected **Rs.1,29,988/-**

ANNUAL REPORT : 2016-17

Chapter-I

Introduction

1.1 The Tripura Information Commission has prepared its 12th Annual Report for the year 2016-17 as mandated under Section 25(1) of the Right to Information Act, 2005.The State Information Commission shall, as soon as practicable, after the end of each year, prepare a report on the implementation of the provisions of this Act during the year and forward a copy thereof to the appropriate Government. Under Section 25(2) of the Act, all the Departments in relation to public authorities within their jurisdiction, collect and provide such information to the State Information Commission to prepare the report and comply with the requirements concerning the furnishing of the information and keeping of records. The Annual Report gives a status of implementation of the provisions of the Act during the period. This is the 12th Annual Report of the Tripura Information Commission and it is prepared indicating the work of the Commission as well as the work of the public authorities in relation to the implementation of the Right to Information Act during the year with the recommendations of the Commission for arranging the Annual Report to be laid before the State Legislature as required under Section 25(4) of the RTI Act.

1.2 The Annual Report for 2016-17 has been prepared on the basis of the information furnished by public authorities. The Report indicates the number of applications received and disposed of by the State Public Information Officers (SPIOs), status of first appeals received and disposed by the First Appellate Authorities and the status of Second Appeals and Complaints received and disposed of by the Tripura Information Commission during the year under report.

1.3 It would be appropriate in this context to recall that the Right to Information Act, 2005 came into force in the country as landmark legislation with a view to bring transparency and accountability. The implementation of the Act over the years has been highly encouraging with common people seeking information not only about

subjects concerning them individually but also issues related to the community at large. Sincere and citizen friendly attitude of the information providers under the public authorities is an essential prerequisite for effective implementation of the Act.

1.4 The RTI Act has started its journey in the State from 19.1.2006 with the appointment of the State Chief Information Commissioner. The Government of Tripura vide Notification No.F.3(5)-GA(AR)/2005(L) dated 29.01.2008 had issued Rules to carry out the provisions of the Act prescribing *inter alia* the Rules regarding application fees, mode of payment and the conduct of the work of the Commission. The Right to Information Rules, 2008 was published in the extraordinary issue of the Tripura Gazette in February, 2008. The Government of Tripura in the GA(AR) Department vide Notification No.F.3(5)-GA(AR)/2005/VI dated 27.09.2005 had exempted the Home(Police) Department including its Forensic Science Laboratory from the purview of the Act by issuing a Notification under Section 24(4) of the RTI Act. However, this was further amended by a fresh Notification No.F.3(5)-GA(AR)/2005/VI/1382 dated 13.07.2015 under which the exemption from the purview of the RTI Act will not apply to the allegation of corruption and human rights violation and administrative functions not related to security and intelligence of the Home(Police)Department.

Chapter – II

Tripura Information Commission During 2016-17

2.1 The State Information Commission was constituted by the Government of Tripura under Section 15(1) of the Right to Information Act, 2005 consisting of one State Chief Information Commissioner and one Information Commissioner as per Notification No. F.3(5)-GA(AR)/2005/P-III dated 10th October, 2005. The Commission started functioning with effect from 19th January, 2006. The State Information Commission was constituted to exercise powers and to perform duties and functions as laid down under the RTI Act, 2005. Section 15(4) of the Act vests the powers of general superintendence, direction and management of the affairs of the State Information Commission with the State Chief Information Commissioner to exercise all powers and do all such acts and things which may be exercised or done by the State Information Commission autonomously without being subjected to directions by any other authority under the Act.

During the year under report, Shri K.V.Satyanarayana, IAS (Retd) has been functioning as the State Chief Information Commissioner under Section 15(3) of the RTI Act having assumed the charge of the post of the State Chief Information Commissioner on 27.09.2014.

2.2 Under Section 16(6) of the RTI Act, the State Government shall provide the State Chief Information Commissioner with such officers and employees as may be necessary for the efficient performance of their functions under this Act. The powers and functions of the Information Commission was laid down in Chapter-V of the RTI Act. The Commission has the powers to receive and enquire into any complaint. The Commission has the same powers as are vested in a civil court while enquiring into any matter under Section 18. Section 18(3) states that " *The Central Information Commission or State Information Commission, as the case may be, shall while inquiring into any matter under this section, have the same powers as are vested in a civil court while trying a suit under the Code of civil Procedure, 1908, in respect of the following matters, namely :*

(a) summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things;

(b) requiring the discovery and inspection of documents;

(c) receiving evidence on affidavit;

(d) requisitioning any public record or copies thereof from any court or office;

(e) issuing summons for examination of witnesses or documents and

(f) any other matter which may be prescribed;

Notwithstanding anything inconsistent contained in any other Act of Parliament or State Legislature, as the case may be, the Central Information Commission or the State Information Commission, as the case may be, may during the inquiry of any complaint under this Act, examine any record to which this Act applied which is under the control of the public authority, and no such record may be withheld from it on any grounds".

2.3 The State Information Commission is the second appellate authority under Section 19(3) upon orders of the First Appellate Authority. It contains in Section 19(5) that in any appeal proceedings, the onus to prove that a denial of request was justified shall be on the State Public Information Officer (SPIO) who denied the request.

2.4 <u>Handling of appeals and complaints in the Commission</u>:

2.4.1 Tripura Information Commission decides both complaint under Section 18(1) and second appeal under Section 19(3) of the Right to Information Commission. In course of deciding complaint as well as appeal, the Commission calls for attendance of the complainant/appellant and the respondent by issuing notice and summons respectively in the prescribed form allowing reasonable time for making written

rejoinder and representation by the complainant/appellant and the respondent as the case may be and also for personal hearing.

2.4.2 The Commission conducts hearing in open court calling both the parties and announces its order in open court before the parties and after concluding the hearing, the order is pronounced on the same day. The copy of the order is provided to both the parties free of cost either by hand or by post with due authentication from the Commission. The copy of the order is also uploaded on the Website of Tripura Information Commission (www.rtitripura.nic.in) and such order of the Commission is easily accessible to the citizens. Some of the orders passed by the Tripura Information Commission during the year under report are enclosed.

2.4.3 The Tripura Information Commission endeavours to decide an appeal or a complaint within a short time after the admission of an appeal or complaint. The cases are generally disposed of in a single hearing duly following the entire process of hearing the parties by issuing summons and notices to the public authorities and complainants/appellants respectively and after conducting enquiry, including scrutiny of records wherever required.

2.4.4 In some cases, the Commission does not close a case immediately after the order but continue it till the compliance is received depending upon the facts of the case. After the cases are completed and disposed, the files are closed and sent to the Record Room of the Commission.

2.4.5 The proceedings of the Commission are held in a congenial atmosphere giving ample opportunity to the information seeker who is the appellant or complainant in the case to present his views either on his own or through an authorized representative.

2.4.6 Organisation of awareness programmes on the provisions of the RTI Act to advance the understanding of the SPIOs and public will go a long way for effective implementation of the Act. During the year several awareness programmes were conducted through the State Institute of Public Administration & Rural Development (SIPARD) for creating awareness as indicated in Table-1

Table-1

Sl.No.	Workshop conducted at	Names of the district	Conducted on	No. of participants
1	Belonia	South Tripura	27.11.2016	158
2	Sepahijala	Sepahijala`	6.11.2016	125
3	Khowai	Khowai	18.11.2016	110
4	Agartala (SIPARD)	West Tripura	28.1.2017	70
5	Udaipur	Gomti	25.2.2017	130
6	Ambassa	Dhalai	10.3.2017	180
7	Dharmanagar	North Tripura	10.3.2017	193
8	Kailasahar	Unakoti	22.3.2017	154

Over and above, the Secretary of the Commission took classes in SIPARD and other places on the various provisions of the RTI Act in the training programmes conducted in SIPARD, B.S.F. etc.

2.4.7 Secretariat of the Commission: In pursuance of Section 16(6) of the Right to Information Act, 2005, the State Government has posted one Senior TCS Officer to function as Secretary to the Commission and the Commission has been provided with the following category of staff on deputation from other departments:-

Table-2

SL No	Designation	Number
1.	SA&JS	1
2.	PS-IV	1
3.	PA-I	2
4.	Section Officer	1
5.	Driver	1
6.	Group-D	3

The Commission is understaffed as the staff once posted from the GA(SA) Department have either retired or have been repatriated to their parent cadre. Consequently, the Commission is facing shortage of ministerial staff. The drawing and disbursing functions of the Commission and despatch work are being done through the GA(SA) Department.

2.4.8 Budget of the Commission: The GA(AR) Department is the administrative department of the Tripura Information Commission and places the budget proposal

of the Commission before the Finance Department of the State. The Budget for the year 2016-17 is as under:

BUDGET FOR THE COMMISSION FOR 2016-17
Name of the Department: O/o the Tripura Information Commission

Table-3

Rs. in thousands

Demand No.7	Particulars	Budget Estimate 2016-17		Revised Estimate 2016-17		Actual Expenditure 2016-17	
		Plan	**Non Plan**	**Plan**	**Non Plan**	**Plan**	**Non Plan**
1	i. Salary	0	6910	0	6160	0	4626
	ii. Wages	0	278	0	228	0	62
	iii. Travel Expenses	0	582	0	528	0	21
	iv. Electricity charge	0	300	0	300	0	88
	v. Office Expenses	0	500	0	500	0	499
	vi. Cost of fuels, etc.	0	245	0	245	0	87
	vii. Hiring charges of private vehicles	0	200	0	200	0	195
	viii. Other contractual services	0	300	0	300	0	150
	Total	**0**	**9315**	**0**	**8515**	**0**	**5728**

2.4.9 Website of the Commission (www.rtitripura.nic.in) contains all orders and judgments of the Commission, as also the 'cause list' including the 'archive of the cause list'. The RTI Act, Tripura RTI Rules and Guidelines issued for State Public Information Officers, First Appellate Authorities and Public Authorities of the State and instructions of the Commission to guide all stakeholders are also posted on the Website. The 'online' lodging of complaints and second appeals is of great help to the information seekers. The Commission has received good number of online complaints and appeals.

2.4.10 The Commission has designated the State Public Information Officer (SPIO) and the First Appellate Authority(FAA) for the Commission. All information about the Commission is placed in the public domain, in its Website.

2.4.11 The Website of the Commission also serves as a portal on RTI Act. It contains list of SPIOs and FAAs and Public Authorities of all departments of the

State. The Commission endeavours to update the list in the event of transfer / superannuation of SPIOs and First Appellate Authorities.

2.4.12 As is required under section 4(1)(b) of the Act, the Commission has made its proactive disclosures about the Commission which has been placed in the Commission's website (www.rtitripura.nic.in), to enable any citizen to view details about the Commission.

2.4.13 The Bengali Website of Tripura Information Commission also supports the citizens who are more comfortable to read and write in Bengali.

Chapter - III

Implementation of RTI Act, 2005

3. Under Section 25(2) of the RTI Act, 2005, each Ministry or Department shall in relation to the public authorities within their jurisdiction collect and provide such information to the State Information Commission as is required to prepare the Report u/s 25(1) of the Act and comply with the requirements concerning the furnishing of that information and keeping records for the purpose. As per the information furnished by the Departments, list of First Appellate Authorities and State Public Information Officers is given in Table-4.

Table – 4

Sl. No.	Name of the Department	No. of FAAs	No. of SPIOs
1	2	3	4
1	Directorate of Agriculture	1	65
2	Directorate of Horticulture & Soil Conservation	1	1
3	Directorate of Animal Resources Dev. Department	1	10
4	Department of Fisheries	6	26
5	Department of Forests	1	35
6	Department of Cooperation	1	18
7	Rural Development Department	1	1
8	Panchayat Department	1	152
9	Public Works Department (R&B)	1	23
10	Public Works Department(DWS)	1	18
11	Public Works Department(WR)	1	14
12	Directorate of Urban Development	1	1
13	Transport Department	1	1
14	Directorate of Industries & Commerce	7	23
15	Directorate of Information Technology	1	1
16	Directorate Food, Civil Supplies & Consumer Affairs	1	23
17	Directorate of Health Services	1	22
18	Directorate of Family Welfare & P.M.	1	115
19	Office of the Deputy Drugs Controller	1	1
20	Tribal Welfare Department	6	6
21	Directorate of TRP & PVTG	1	4
22	Tripura Tribal Research & Cultural Institute	1	1
23	Directorate for Welfare of Scheduled Castes	1	1
24	Directorate for Welfare of OBCs	1	2

25	Directorate of Elementary Education	1	2
26	Directorate of Secondary Education	1	682
27	Directorate of Higher Education	1	37
28	Directorate of Social Welfare & Social Education	1	10
29	Directorate of Youth Affairs & Sports	1	19
30	Revenue Department	1	23
31	Directorate of Relief, Rehabilitation & Disaster Management	1	1
32	Home Department	6	39
33	Prisons Directorate	1	1
34	Office of the D.G. Police, Tripura	1	34
35	Directorate of Fire Service	1	1
36	State Forensic Science Laboratory	1	1
37	Directorate of Prosecution	1	1
38	Planning (P&C) Department	1	1
39	Election Department	1	1
40	Labour Directorate	1	9
41	Directorate of Employment Services & Manpower Planning	1	8
42	Factories & Boilers Organisation	1	3
43	Directorate of Land Records & Settlement	1	1
44	Department of Science, Technology & Environment	1	8
45	Directorate of Bio-Technology	1	0
46	Directorate of Audit	1	1
47	General Administration (SA) Department	1	1
48	General Administration (P&T) Department	1	1
49	General Administration (P&S) Department	1	2
50	General Administration (A.R.) Department	1	1
51	General Administration (C & C) Department	1	1
52	Finance Department	1	4
53	Commissioner of Taxes	1	1
54	Law Department	1	1
55	Directorate of Information & Cultural Affairs	1	31
56	Commissioner of Departmental Inquiries	1	2
57	Vigilance Organization	1	1
58	Lokayukta	1	1
59	Governor's Secretariat	1	1
60	High Court of Tripura	1	1
61	Assembly Secretariat	0	2
62	T.T.A.A.D.C.	1	82
63	SIPARD	1	1
64	State Council of Educational Research & Training	1	1
65	Tripura Public Service Commission	1	1
66	The Police Accountability Commission, Tripura	1	1
67	Tripura Human Rights Commission	1	1
68	Tripura State Election Commission	1	1

69	Tripura Information Commission	1	1
70	Tripura Commission for Women	1	1
71	Tripura Board of Secondary Education	1	1
72	Tripura Housing & Construction Board	1	1
73	Tripura State Pollution Control Board	1	1
74	Tripura Board of Wakf	1	1
75	Tripura Khadi & Village Industries Board	1	1
76	Tripura Tea Development Corporation Ltd.	1	1
77	Tripura Tourism Development Corporation Ltd.	1	1
78	Agartala Municipal Corporation	13	13
79	Tripura Small Industries Corporation Ltd.	1	1
80	T.F.D.P.C.Ltd	1	7
81	Tripura Handlooms, Handicrafts & Development Corp. Ltd	1	1
82	Tripura Jute Mills Ltd.	1	1
83	Gomati Cooperative Milk Producers' Union Ltd.	1	1
84	ICFAI University	1	1
85	Tripura Gramin Bank	2	1
	TOTAL	**118**	**1621**

3.1 During the year 2016-17, the SPIOs under the Departments have received 6794 Applications seeking information under the RTI Act. Out of these 6739 have been disposed of which 13 Applications were rejected and 6726 have been allowed. At the end of the year 2016-17, 55 Applications seeking information from the information seekers were pending with various SPIOs. Out of the total applications, 4876 nos. were from urban areas and 1918 nos. were from rural areas. Department-wise/Public authority-wise Applications received, allowed, rejected and pendency is given in the Table-5.

Table-5

Sl. No.	Name of the Department	No. of FAAs	No. of SPIOs	No. of requests received during the year	No. of requests disposed during the year	No. of requests rejected during the year	No. of requests pending allowed the year	No. of request pending during the year
1	2	3	4	5	6	7	8	9
1	Directorate of Agriculture	1	65	44	44	0	44	0
2	Directorate of Horticulture & Soil Conservation	1	1	18	14	0	14	4
3	Directorate of ARDD	1	10	27	27	0	27	0
4	Department of Fisheries	6	26	27	27	0	27	0

5	Department of Forests	1	35	287	287	3	284	0
6	Department of Cooperation	1	18	24	24	0	24	0
7	Rural Development Department	1	1	22	22	0	22	0
8	Panchayat Department	1	152	443	443	0	443	0
9	Public Works Department (R&B)	1	23	82	78	2	76	4
10	Public Works Department(DWS)	1	18	40	39	0	39	1
11	Public Works Department(WR)	1	14	19	19	0	19	0
12	Directorate of Urban Development	1	1	17	17	0	17	0
13	Transport Department	1	1	109	109	2	107	0
14	Directorate of Industries & Commerce	7	23	80	80	0	80	0
15	Directorate of Information Technology	1	1	11	11	0	11	0
16	Directorate of Food, Civil Supplies & Consumer Affairs	1	23	230	230	1	229	0
17	Directorate of Health Services	1	22	313	313	0	313	0
18	Directorate of Family Welfare & P.M.	1	115	110	110	0	110	0
19	Office of the Deputy Drugs Controller	1	1	22	22	0	22	0
20	Tribal Welfare Department	6	6	50	50	0	50	0
21	Directorate of TRP & PVTG	1	4	5	5	0	5	0
22	Tripura Tribal Research & Cultural Institute	1	1	2	2	0	2	0
23	Directorate for Welfare of Scheduled Castes	1	1	27	17	0	17	10
24	Directorate for Welfare of OBCs	1	2	3	3	0	3	0
25	Directorate of Elementary Education	1	2	44	44	5	39	0
26	Directorate of Secondary Education	1	682	96	96	0	96	0
27	Directorate of Higher Education	1	37	80	80	0	80	0
28	Directorate of Social Welfare & Social Education	1	10	184	184	0	184	0
29	Directorate of Youth Affairs & Sports	1	19	6	6	0	6	0
30	Revenue Department	1	23	51	51	0	51	0
31	Directorate of R.R. & Disaster Management	1	1	1	1	0	1	0

32	Home Department	6	39	419	412	0	412	7
33	Prisons Directorate	1	1	33	33	0	33	0
34	Office of the D.G .Police, Tripura	1	34	316	310	0	310	6
35	Directorate of Fire Service	1	1	37	37	0	37	0
36	State Forensic Science Laboratory	1	1	9	9	0	9	0
37	Directorate of Prosecution	1	1	5	5	0	5	0
38	Planning (P&C) Department	1	1	0	0	0	0	0
39	Election Department	1	1	13	13	0	13	0
40	Labour Directorate	1	9	38	36	0	36	2
41	Directorate of Employment Services & Manpower Planning	1	8	14	14	0	14	0
42	Factories & Boilers Organization	1	3	7	7	0	7	0
43	Directorate of Land Records & Settlement	1	1	2429	2429	0	2429	0
44	Department of Science, Technology & Environment	1	8	7	7	0	7	0
45	Directorate of Bio-Technology	1	0	0	0	0	0	0
46	Directorate of Audit	1	1	9	9	0	9	0
47	General Administration (SA) Department	1	1	7	7	0	7	0
48	General Administration (P&T) Department	1	1	43	43	0	43	0
49	General Administration (P&S) Department	1	2	12	12	0	12	0
50	General Administration (A.R) Department	1	1	15	15	0	15	0
51	General Administration (C & C) Department	1	1	2	2	0	2	0
52	Finance Department	1	4	74	74	0	74	0
53	Commissioner of Taxes	1	1	21	21	0	21	0
54	Law Department	1	1	33	33	0	33	0
55	Directorate of Information & Cultural Affairs	1	31	13	13	0	13	0
56	Commissioner of Departmental Inquiries	1	2	4	4	0	4	0
57	Vigilance Organization	1	1	0	0	0	0	0
58	Lokayukta	1	1	4	4	0	4	0
59	Governor's Secretariat	1	1	11	11	0	11	0
60	High Court of Tripura	1	1	50	50	0	50	0
61	Assembly Secretariat	0	2	26	26	0	26	0

62	T.T.A.A.D.C.	1	82	15	15	0	15	0
63	SIPARD	1	1	4	4	0	4	0
64	State Council of Educational Research & Training	1	1	11	11	0	11	0
65	Tripura Public Service Commission	1	1	281	281	0	281	0
66	The Police Accountability Commission, Tripura	1	1	9	8	0	8	1
67	Tripura Human Rights Commission	1	1	0	0	0	0	0
68	Tripura State Election Commission	1	1	1	1	0	1	0
69	Tripura Information Commission	1	1	11	11	0	11	0
70	Tripura Commission for Women	1	1	18	18	0	18	0
71	Tripura Board of Secondary Education	1	1	26	26	0	26	0
72	Tripura Housing & Construction Board	1	1	1	1	0	1	0
73	Tripura State Pollution Control Board	1	1	33	17	0	17	16
74	Tripura Board of Wakf	1	1	1	1	0	1	0
75	Tripura Khadi & Village Industries Board	1	1	6	6	0	6	0
76	Tripura Tea Development Corporation Ltd.	1	1	0	0	0	0	0
77	Tripura Tourism Development Corporation Ltd.	1	1	4	4	0	4	0
78	Agartala Municipal Corporation	13	13	200	200	0	200	0
79	Tripura Small Industries Corporation Ltd.	1	1	9	9	0	9	0
80	T.F.D.P.C.Ltd	1	7	22	18	0	18	4
81	Tripura Handlooms, Handicrafts & Development Corp. Ltd.	1	1	3	3	0	3	0
82	Tripura Jute Mills Ltd.	1	1	8	8	0	8	0
83	Gomati Cooperative Milk Producers' Union Ltd.	1	1	0	0	0	0	0
84	ICFAI University	1	1	1	1	0	1	0
85	Tripura Gramin Bank	2	1	5	5	0	5	0
	Total	**118**	**1621**	**6794**	**6739**	**13**	**6726**	**55**

3.2 From the Table-5, it is seen that largest number of Applications were received by the Directorate of Land Records & Settlement (2429) followed by Panchayat Department (443). The information is classified category-wise viz (i) service related (ii) project related (iii) Govt. scheme related (iv) Govt. policy related (v) examination related (vi) service delivery related (vii) land related (viii) recruitment related and (ix) others. The same is presented in the Table -6. It is seen from the Table that out of 6797 Applications received, 869 are service related, 391 Govt. schemes related and 279 are examination related.

Table-6

	Name of Department	Service related information	Project related information	Govt. Scheme related information	Govt. policy related information	Examination related information	On delivery of services by Govt. Dept.	Land related issues	Recruitment related information	Any Others
1	Directorate of Agriculture	20	5	8	Nil	Nil	Nil	Nil	6	5
2	Directorate of Horticulture & Soil Conservation	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	18
3	Directorate of Animal Resources Dev. Department	6	2	Nil	Nil	Nil	Nil	Nil	2	17
4	Department of Fisheries	4	Nil	2	1	Nil	Nil	Nil	3	17
5	Department of Forests	83	14	11	2	1	Nil	16	9	151
6	Department of Cooperation	2	Nil	1	Nil	Nil	Nil	Nil	2	19
7	Rural Development Department	3	Nil	16	Nil	Nil	Nil	Nil	Nil	3
8	Panchayat Department	62	88	145	3	Nil	Nil	4	1	140
9	Public Works Department (R&B)	32	15	2	4	Nil	Nil	5	Nil	24
10	Public Works Department(DWS)	12	4	15	Nil	1	Nil	Nil	1	7
11	Public Works Department(WR)	Nil	14	Nil	5	Nil	Nil	Nil	Nil	Nil
12	Directorate of Urban Development	2	2	1	1	Nil	Nil	Nil	1	10
13	Transport Department	1	Nil	4	4	Nil	Nil	Nil	5	95

14	Directorate of Industries & Commerce	18	Nil	12	16	Nil	Nil	Nil	16	1
15	Directorate of Information Technology	Nil	Nil	Nil	Nil	Nil	Nil	Nil	6	5
16	Directorate of Food, Civil Supplies & Consumer Affairs	20	Nil	26	52	Nil	Nil	Nil	26	1
17	Directorate of Health Services	64	13	15	58	11	Nil	Nil	25	1
18	Directorate of Family Welfare & P.M.	10	2	8	Nil	Nil	Nil	Nil	Nil	9
19	Office of the Deputy Drugs Controller	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	2
20	Tribal Welfare Department	10	1	17	Nil	Nil	Nil	1	1	2
21	Directorate of TRP & PVTG	3	Nil	1	1	Nil	Nil	Nil	Nil	N
22	Tripura Tribal Research & Cultural Institute	1	Nil	Nil	Nil	Nil	Nil	Nil	Nil	1
23	Directorate for Welfare of Scheduled Castes	9	Nil	7	8	Nil	Nil	Nil	3	N
24	Directorate for Welfare of OBCs	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	3
25	Directorate of Elementary Education	22	Nil	8	2	Nil	Nil	1	4	7
26	Directorate of Secondary Education	22	5	6	5	Nil	Nil	3	40	15
27	Directorate of Higher Education	34	Nil	Nil	Nil	Nil	Nil	Nil	27	19
28	Directorate of Social Welfare & Social Education	22	32	52	4	Nil	Nil	Nil	42	32
29	Directorate of Youth Affairs & Sports	5	1	Nil	Nil	Nil	Nil	Nil	Nil	N
30	Revenue Department	27	Nil	Nil	3	Nil	Nil	17	Nil	4
31	Directorate of Relief, Rehabilitation & Disaster Management	Nil	Nil	Nil	Nil	Nil	Nil	1	Nil	N
32	Home Department	115	2	4	7	1	Nil	1	28	26
33	Prisons Directorate	12	Nil	Nil	7	Nil	Nil	Nil	1	13
34	Office of the D.G.Police, Tripura	97	2	2	1	1	Nil	1	4	20
35	Directorate of Fire Service	7	Nil	2	5	Nil	Nil	Nil	22	1
36	State Forensic Science Laboratory	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	9
37	Directorate of Prosecution	1	Nil	Nil	1	Nil	Nil	Nil	3	N

Planning (P&C) Department	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Election Department	1	Nil	Nil	Nil	Nil	Nil	Nil	Nil	12
Labour Directorate	14	Nil	Nil	7	Nil	Nil	Nil	5	12
Directorate of Employment Services & Manpower Planning	1	Nil	2	5	Nil	Nil	Nil	4	2
Factories & Boilers Organization	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	7
Directorate of Land Records & Settlement	4	Nil	Nil	Nil	Nil	Nil	2425	NIL	Nil
Department of Science, Technology & Environment	1	1	1	Nil	Nil	Nil	Nil	1	3
Directorate of Bio-Technology	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Directorate of Audit	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	9
General Administration (SA) Department	5	Nil	Nil	Nil	Nil	Nil	Nil	Nil	2
General Administration (P&T) Department	7	Nil	Nil	21	3	Nil	2	2	8
General Administration (P&S) Department	6	Nil	Nil	Nil	Nil	Nil	6	Nil	Nil
General Administration (A.R.) Department	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	15
General Administration (C & C) Department	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	2
Finance Department	10	Nil	Nil	Nil	Nil	Nil	Nil	1	63
Commissioner of Taxes	2	Nil	Nil	Nil	Nil	Nil	Nil	Nil	19
Law Department	15	2	6	8	Nil	Nil	Nil	2	Nil
Directorate of Information & Cultural Affairs	7	Nil	1	1	Nil	Nil	Nil	1	3
Commissioner of Departmental Inquiries	1	Nil	Nil	Nil	Nil	Nil	Nil	Nil	3
Vigilance Organization	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Lokayukta	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	4
Governor's Secretariat	9	Nil	Nil	Nil	Nil	Nil	1	Nil	1
High Court of Tripura	Nil	Nil	Nil	Nil	3	Nil	Nil	Nil	47
Assembly Secretariat	11	Nil	Nil	Nil	Nil	Nil	Nil	9	6

62	T.T.A.A.D.C.	9	Nil	Nil	2	Nil	Nil	Nil	2	2
63	SIPARD	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	4
64	State Council of Educational Research & Training	Nil	Nil	Nil	Nil	6	Nil	Nil	Nil	5
65	Tripura Public Service Commission	8	Nil	Nil	Nil	231	Nil	Nil	42	Ni
66	The Police Accountability Commission, Tripura	4	Nil	Nil	Nil	Nil	Nil	Nil	2	3
67	Tripura Human Rights Commission	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Ni
68	Tripura State Election Commission	Nil	Nil	Nil	1	Nil	Nil	Nil	Nil	Ni
69	Tripura Information Commission	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	11
70	Tripura Commission for Women	2	Nil	Nil	Nil	Nil	Nil	Nil	Nil	16
71	Tripura Board of Secondary Education	1	Nil	Nil	1	20	Nil	Nil	1	3
72	Tripura Housing & Construction Board	Nil	1	Nil	Nil	Nil	Nil	Nil	Nil	Ni
73	Tripura State Pollution Control Board	2	Nil	Nil	Nil	Nil	Nil	Nil	Nil	31
74	Tripura Board of Wakf	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	1
75	Tripura Khadi & Village Industries Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	6
76	Tripura Tea Development Corporation Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Ni
77	Tripura Tourism Development Corporation Ltd.	3	1	Nil	Nil	Nil	Nil	Nil	Nil	Ni
78	Agartala Municipal Corporation	11	12	11	16	Nil	Nil	13	Nil	13
79	Tripura Small Industries Corporation Ltd.	4	Nil	Nil	Nil	Nil	Nil	Nil	4	1
80	T.F.D.P.C.Ltd	1	1	Nil	Nil	Nil	Nil	Nil	4	16
81	Tripura Handlooms, Handicrafts & Development Corp.Ltd	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	3
82	Tripura Jute Mills Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	8
83	Gomati Cooperative Milk Producers' Union Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Nil	Ni

34	ICFAI University	Nil	Nil	Nil	Nil	Nil	1	Nil	Nil	Nil
35	Tripura Gramin Bank	3	Nil	Nil	Nil	Nil	Nil	Nil	1	1
	Total	**865**	**220**	**386**	**252**	**278**	**1**	**2497**	**363**	**1932**

3.3 Under Sec. 6(1) of the RTI Act, 2005, a person desiring to obtain information shall make an application with prescribed fees. Rule 7 of Tripura Right to Information Rules, 2008 prescribed Rs.10/- as application fee to be paid in cash or by Treasury Challan or Indian Postal Order. However, no fee is chargeable for the person below the poverty line as per proviso of Sec. 7(5) of the RTI Act. Similarly, a person is to pay additional fee for obtaining information as prescribed by the Tripura Right to Information Rules, 2008. A person is to pay additional fee of Rs.2/- per page of information as per sec. 7(5) of the Act read with Rule 7 of Tripura Right to Information Rules, 2008.

3.4 The fees collected by the Public Authorities during 2016 – 17 department-wise both as application fee and additional fee is given Table No.7.

Table-7

Sl. No.	Name of the Department	Fees collected u/s 6(1)	Fees collected u/s 6(2)
1	*2*	*3*	*4*
1	Directorate of Agriculture	340	202
2	Directorate of Horticulture & Soil Conservation	80	146
3	Directorate of Animal Resources Dev. Department	180	10
4	Department of Fisheries	230	266
5	Department of Forests	2040	2984
6	Department of Cooperation	160	36
7	Rural Development Department	100	210
8	Panchayat Department	2361	2387
9	Public Works Department (R&B)	680	1165
10	Public Works Department(DWS)	0	0
11	Public Works Department(WR)	80	16
12	Directorate of Urban Development	170	0
13	Transport Department	1254	0
14	Directorate of Industries & Commerce	580	225
15	Directorate of Information Technology	100	30

16	Directorate of Food, Civil Supplies & Consumer Affairs	1120	8458
17	Directorate of Health Services	2445	14981
18	Directorate of Family Welfare & P.M.	590	510
19	Office of the Deputy Drugs Controller	190	218
20	Tribal Welfare Department	330	5406
21	Directorate of TRP & PVTG	10	12
22	Tripura Tribal Research & Cultural Institute	20	0
23	Directorate for Welfare of Scheduled Castes	110	28
24	Directorate for Welfare of OBCs	0	0
25	Directorate of Elementary Education	300	2040
26	Directorate of Secondary Education	920	498
27	Directorate of Higher Education	790	862
28	Directorate of Social Welfare & Social Education	0	0
29	Directorate of Youth Affairs & Sports	60	56
30	Revenue Department	510	1962
31	Directorate of Relief, Rehabilitation & Disaster Management	0	0
32	Home Department	2140	704
33	Prisons Directorate	190	334
34	Office of the D.G. Police, Tripura	1540	500
35	Directorate of Fire Service	310	0
36	State Forensic Science Laboratory	50	0
37	Directorate of Prosecution	0	0
38	Planning (P&C) Department	10	0
39	Election Department	50	0
40	Labour Directorate	320	450
41	Directorate of Employment Services & Manpower Planning	0	0
42	Factories & Boilers Organization	30	36
43	Directorate of Land Records & Settlement	24070	23677
44	Department of Science, Technology & Environment	50	154
45	Directorate of Bio-Technology	0	0
46	Directorate of Audit	60	1456
47	General Administration (SA) Department	60	46
48	General Administration (P&T) Department	430	1083
49	General Administration (P&S) Department	120	16
50	General Administration (A.R.) Department	100	56
51	General Administration (C & C) Department	20	16
52	Finance Department	590	1570
53	Commissioner of Taxes	180	64
54	Law Department	190	54
55	Directorate of Information & Cultural Affairs	70	72
56	Commissioner of Departmental Inquiries	40	0
57	Vigilance Organization	0	0
58	Lokayukta	40	96
59	Governor's Secretariat	140	0
60	High Court of Tripura	260	0

61	Assembly Secretariat	260	644
62	T.T.A.A.D.C.	140	600
63	SIPARD	20	50
64	State Council of Educational Research & Training	110	18
65	Tripura Public Service Commission	2810	84
66	The Police Accountability Commission, Tripura	55	49
67	Tripura Human Rights Commission	0	0
68	Tripura State Election Commission	10	0
69	Tripura Information Commission	110	0
70	Tripura Commission for Women	180	138
71	Tripura Board of Secondary Education	240	500
72	Tripura Housing & Construction Board	10	0
73	Tripura State Pollution Control Board	310	16
74	Tripura Board of Wakf	0	0
75	Tripura Khadi & Village Industries Board	50	0
76	Tripura Tea Development Corporation Ltd.	0	0
77	Tripura Tourism Development Corporation Ltd.	40	0
78	Agartala Municipal Corporation	1130	804
79	Tripura Small Industries Corporation Ltd.	90	0
80	T.F.D.P.C.Ltd	170	1128
81	Tripura Handlooms, Handicrafts & Development Corp. Ltd	30	0
82	Tripura Jute Mills Ltd.	80	0
83	Gomati Cooperative Milk Producers' Union Ltd.	0	0
84	ICFAI University	170	0
85	Tripura Gramin Bank	40	0
	TOTAL	52865	77123

3.5 **Disposal of First Appeals** – The RTI Act, 2005 has prescribed the provision for filing first appeals under Section 19(1) of the Act. Any person, who does not receive a decision within the time specified in sub-section (1) or clause (a) of Sub-section (3) of Section 7, or is aggrieved by a decision of the SPIO, may within 30 days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the SPIO in each public authority. Under Section 19(6) of the Act, an appeal under Sub-Section (1) to the First Appellate Authority shall be disposed of within 30 days of receipt of the appeal or within such extended period not exceeding a total of 45 days from the date of filing, as the case may be for reasons to be recorded in writing.

During the year under report, 500 nos. of first appeals have been received by the First Appellate Authorities out of which 489 were disposed of and 11 first appeals were pending at the end of the year. Department-wise receipt and disposal of first appeals is indicated in Table-8.

Table-8

First Appeals during 2016-17

Sl. No.	Name of the Department	No. of First Appeals received	No. of First Appeals Disposed	No. of First Appeals Pending
1.	Directorate of Agriculture	0	0	0
2.	Directorate of Horticulture & Soil Conservation	0	0	0
3.	Directorate of Animal Resources Dev. Department	0	0	0
4.	Department of Fisheries	1	1	0
5.	Department of Forests	24	24	0
6.	Department of Cooperation	0	0	0
7.	Rural Development Department	0	0	0
8.	Panchayat Department	279	272	7
9.	Public Works Department (R&B)	2	2	0
10.	Public Works Department(DWS)	0	0	0
11.	Public Works Department(WR)	0	0	0
12.	Directorate of Urban Development	1	1	0
13.	Transport Department	2	2	0
14.	Directorate of Industries & Commerce	0	0	0
15.	Directorate of Information Technology	1	1	0
16.	Directorate of Food, Civil Supplies & Consumer Affairs	3	3	0
17.	Directorate of Health Services	14	14	0
18.	Directorate of Family Welfare & P.M.	0	0	0
19.	Office of the Deputy Drugs Controller	0	0	0
20.	Tribal Welfare Department	0	0	0
21.	Directorate of TRP & PVTG	0	0	0
22.	Tripura Tribal Research & Cultural Institute	0	0	0
23.	Directorate for Welfare of Scheduled Castes	0	0	0
24.	Directorate for Welfare of OBCs	0	0	0
25.	Directorate of Elementary Education	0	0	0
26.	Directorate of Secondary Education	10	10	0
27.	Directorate of Higher Education	0	0	0
28.	Directorate of Social Welfare & Social Education	2	2	0
29.	Directorate of Youth Affairs & Sports	6	6	0
30.	Revenue Department	1	1	0

31.	Directorate of Relief, Rehabilitation & Disaster Management	1	1	0
32.	Home Department	27	27	0
33.	Prisons Directorate	0	0	0
34.	Office of the D.G. Police, Tripura	25	25	0
35.	Directorate of Fire Service	0	0	0
36.	State Forensic Science Laboratory	1	1	0
37.	Directorate of Prosecution	1	1	0
38.	Planning (P&C) Department	0	0	0
39.	Election Department	0	0	0
40.	Labour Directorate	3	1	2
41.	Directorate of Employment Services & Manpower Planning	2	2	0
42.	Factories & Boilers Organization	0	0	0
43.	Directorate of Land Records & Settlement	17	17	0
44.	Department of Science, Technology & Environment	0	0	0
45.	Directorate of Bio-Technology	0	0	0
46.	Directorate of Audit	0	0	0
47.	General Administration (SA) Department	0	0	0
48.	General Administration (P&T) Department	4	4	0
49.	General Administration (P&S) Department	0	0	0
50.	General Administration (A.R.) Department	0	0	0
51.	General Administration (C & C) Department	0	0	0
52.	Finance Department	9	9	0
53.	Commissioner of Taxes	9	9	0
54.	Law Department	2	2	0
55.	Directorate of Information & Cultural Affairs	0	0	0
56.	Commissioner of Departmental Inquiries	0	0	0
57.	Vigilance Organization	0	0	0
58.	Lokayukta	4	4	0
59.	Governor's Secretariat	11	11	0
60.	High Court of Tripura	2	2	0
61.	Assembly Secretariat	0	0	0
62.	T.T.A.A.D.C.	1	0	1
63.	SIPARD	0	0	0
64.	State Council of Educational Research & Training	0	0	0
65.	Tripura Public Service Commission	10	10	0
66.	The Police Accountability Commission, Tripura	0	0	0
67.	Tripura Human Rights Commission	0	0	0
68.	Tripura State Election Commission	0	0	0
69.	Tripura Information Commission	0	0	0
70.	Tripura Commission for Women	0	0	0

71.	Tripura Board of Secondary Education	0	0	0
72.	Tripura Housing & Construction Board	0	0	0
73.	Tripura State Pollution Control Board	2	2	0
74.	Tripura Board of Wakf	0	0	0
75.	Tripura Khadi & Village Industries Board	0	0	0
76.	Tripura Tea Development Corporation Ltd	0	0	0
77.	Tripura Tourism Development Corporation Ltd.	0	0	0
78.	Agartala Municipal Corporation	16	15	1
79.	Tripura Small Industries Corporation Ltd.	0	0	0
80.	T.F.D.P.C.Ltd	5	5	0
81.	Tripura Handlooms, Handicrafts & Development Corp.Ltd	0	0	0
82.	Tripura Jute Mills Ltd.	0	0	0
83.	Gomati Cooperative Milk Producers' Union Ltd.	0	0	0
84.	ICFAI University	1	1	0
85.	Tripura Gramin Bank	1	1	0
	Total	**500**	**489**	**11**

CHAPTER –IV

Appeals and Complaints to the Commission

4.1 Under the RTI Act, 2005, Section 18(1) mandates the State Information Commission to receive and enquire into a complaint. The relevant provisions of the Act as prescribed in Section 18(1) are reproduced below:

" 18(1): Subject to the provisions of this Act, it shall be the duty of the Central Information Commission or State Information Commission, as the case may be, to receive and inquire into a complaint from any person-

(a) who has been unable to submit a request to a Central Public Information Officer or State Public Information Officer, as the case may be either by reason that no such officer has been appointed under this Act, or because the Central Assistant Public information Officer or State Assistant Public Information Officer as the case may be, has refused to accept his or her application for information or appeal under this Act for forwarding the same to the Central Public Information Officer or State Public Information Officer or senior officer specified in sub-section (1) of Section 19 or the Central Information Commission or the State Information Commission, as the case may be;

(b) who has been refused access to any information requested under this Act;

(c) who has not been given a response to a request for information or access to information within the time limit specified under this Act;

(d) who has been required to pay an amount of fee which he or she considers unreasonable;

(e) who believes that he or she has been given incomplete, misleading or false information under this Act; and

(f) in respect of any other matter relating to requesting or obtaining access to records under this Act ".

Section 18(3) have explicitly stated the State Information Commission while enquiring into any matter under this Section shall have the same powers as

are vested in Civil Court while trying a suit under the Code of Civil Procedure, 1908 as under:

(a) summoning and enforcing the attendance of persons and compel them to give oral or written evidence on oath and to produce the documents or things;

(b) requiring the discovery and inspection of documents;

(c) receiving evidence on affidavit;

(d) requisitioning any public record or copies thereof from any court or office;

(e) issuing summons for examination of witnesses or documents and

(f) any other matter which may be prescribed.

4.2 In addition to investigating into the complaints, the Commission has appellate jurisdiction to hear Second Appeals under Section 19(3) of the RTI Act. Relevant provisions of Section 19 are as under:

" *19(3): A second appeal against the decision under sub-section(1) shall lie within ninety days from the date on which the decision should have been made or was actually received with the Central Information Commission or the State Information Commission: Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the xpiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.* "

In its Appellate Jurisdiction, the Commission under section 19(8) of the RTI Act has the powers to:

(a) require the public authority to take such steps as may be necessary to secure compliance with the provisions of this act, including-

(i) by providing access to information, if so requested, in a particular form;

(ii) by appointing a Central Public Information Officer or State Public Information Officer, as the case may be;

(iii) by publishing certain information or categories of information;

(iv) by making necessary changes to its practices in relation to the maintenance, management and destruction of records;

(v) by enhancing the provision of training on right to information for its officials;

(vi) by providing it with an annual report in compliance with clause (b) of sub-section (1) of Section 4;

(b) require the public authority to compensate the complainant for any loss or other detriment suffered;

(c) impose any of the penalties provided under this Act;

(d) reject the application.

During the year, the Commission received a total of 136 Appeals/Complaints which have been disposed of. Year-wise position is indicated in the Table- 10 below:

Table-10

STATUS OF APPEALS & COMPLAINTS RECEIVED/DECIDED BY THE COMMISSION OVER THE YEARS

FINANCIAL YEAR	APPEALS/COMPLAINTS RECEIVED DURING THE YEARS	APPEALS/COMPLAINTS DECIDED DURING THE YEARS
2005-06	0	0
2006-07	47	47
2007-08	86	86
2008-09	86	86
2009-10	86	86
2010-11	140	140
2011-12	94	94
2012-13	40	40
2013-14	43	43
2014-15	104	104
2015-16	171	171
2016-17	136	136

4.3 **Penalties**: During the year 2016-17, in Appeal No.TIC-16 of 2016-17 between Shri Debashis Sarkar Vs SPIO, Directorate of ARDD, the SPIO and FAA were penalised @ Rs.500/- each by the Commission.

CHAPTER - V

RECOMMENDATIONS AND SUGGESTIONS

The Commission has been making suggestions/recommendations in various Annual Reports based on the experience gained in the implementation of the RTI Act, 2005. The Commission would like to make following suggestions/recommendations:-

2. The Commission would like to point out about the importance of the guidelines for Record Retention Schedule for each Department as in the absence of it, some of the records for which information is sought may be claimed as "unavailable" whereas in the alternative some useless records will be maintained for unduly long period of time which impacts adversely the efficiency of maintenance of record. The Record Retention Schedule was issued in 2000. The Government in the appropriate Department may consider Department specific Record Retention Schedule as there are Department specific issues in several Departments. The Government may look into this aspect.

3. Section 4(2) of the RTI Act, 2005 states that *"It shall be a constant endeavour of every public authority to take steps in accordance with the requirements of clause (b) of sub-section (1) to provide as much information suo motu to the public at regular intervals through various means of communications, including internet, so that public have minimum resort to the use this Act to obtain information".*

The Commission had gone through the Websites of several Departments of the State Government and found that pro-active disclosure as mandated u/s 4(1(b) of the Act has not been complied by many Departments. The Commission suggests that the Government may direct the public authorities to take steps in a time bound manner for pro-active disclosure of information u/s 4(1)(b) so that public need not approach with RTI Applications for information available in the public domain.

4) The Commission is understaffed particularly in the ministerial staff. A proposal has been submitted to the Government which may be considered at the earliest.

5. The Commission would like to suggest that in all the training programmes of the Departments for its officers either through the SIPARD or any other training institution, one session may be kept for creating awareness and orientation on the RTI Act and Rules.

.....

TRIPURA INFORMATION COMMISSION

Pt. Nehru Complex, Gurkhabasti

Agartala – 799 006

Complaint No. TIC-19 of 2016-17

Shri Rana Pratap Nath Bhowmik, S/o Shri Usha Ranjan Nath Bhowmik, Radhamadhav Sarani, PO: Dhaleshwar, Agartala – 799007.

.....Complainant

VERSUS

The General Manager(HR), Society for Tripura Medical College & Dr. BRAM Teaching Hospital, Hapania, Agartala-799014 (SPIO).

.....Opposite party.

In the matter of a Complaint under Section 18(1) of the RTI Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)

State Chief Information Commissioner

ORDER

Dated: 25.3.2017

The case was filed by Shri Rana Pratap Nath Bhowmik against the General Manager (HR), Society for Tripura Medical College & Dr. BRAM Teaching Hospital, Hapania, Agartala who is the SPIO under the RTI Act, 2005. Shri Rana Pratap Nath Bhowmik had applied to the SPIO in the office of the Chief Executive Officer, Tripura Medical College & Dr. BRAM Teaching Hospital on 28.5.2016 seeking some information relating to the recruitment of Lab Technicians since the inception of the hospital.

2. The General Manager (HR), TMC & Dr. BRAM Teaching Hospital vide letter dated 7.6.2016 replied that the Hospital is a private organization and it is not a public authority under the RTI Act.

3. Aggrieved by this, Shri Rana Pratap Nath Bhowmik filed a complaint before the Tripura Information Commission on 15.7.2016 which was accepted and registered as complaint with No.TIC-19 of 2016-17. The issue was posted for hearing first on the 31st August, 2016 duly issuing notice to the Complainant and summons to the General Manager (HR) for their appearance.

4. At the hearing on 31.8.2016, the Complainant, Shri Rana Pratap Nath Bhowmik was present. But the General Manager (HR) from the Society did not appear before the Commission.

5. The issue was that sometime back, the TMC & Dr BRAM Teaching Hospital, Hapania was having an SPIO as public authority but subsequently a Notification dated 21.7.2015 had been issued by the Health & Family Welfare Department, Government of Tripura excluding the TMC & Dr. BRAM Teaching Hospital as a 'public authority' from the purview of the RTI Act.

6. Now that the General Manager (HR) has claimed in his letter dated 7.6.2016 to Shri Rana Pratap Nath Bhowmik that it is a private organization. During hearing on 31.8.2016, Shri Rana Pratap Nath Bhowmik claimed that the Principal Secretary to Government of Tripura way back in 2009 had written to the Government of India to treat the Society for TMC & Dr. BRAM Teaching Hospital as a government run medical institution and that earlier also information was given under the RTI Act to one Shri Harimohan Das on 5.10.2014. He had enclosed copies of the above documents for perusal of the Commission.

7. Apparently, the claim and contention of the Society is about change of status from being a public authority to not being a public authority. This is a question of law and also the facts of the case as to whether the Society of TMC & Dr. BRAM Teaching Hospital, Hapania is to be covered under the definition of public authority as defined under Section 2(h) of RTI Act, 2005. In order to go into this issue, the General Manager (HR), the Society for TMC & Dr. BRAM Teaching Hospital, Hapania

and the Complainant, Shri Rana Pratap Nath Bhowmik, were directed to file affidavits as to why it is not a public authority and how the situation has changed from being a public authority to not being a public authority now.

8. Upon receipt of the affidavits and counter affidavits from the parties, the matter was posted for further hearing on 13.1.2017 when the Respondents were represented by Shri Sankar De, General Manager (HR) and Smti. Sarbani Majumdar, Advocate. Shri Rana Pratap Nath Bhowmik, the Complainant, was also present. The Respondents filed a representation stating that their senior Advocate was out of station and hence sought adjournment of the hearing. The Complainant had also filed additional documents in support of his claim and the copies of the said additional documents were also given to the Respondents to file counter, if any. Accordingly, after considering the request made by the Respondents, the Commission deferred the hearing on 18.2.2017 with direction upon the parties for appearance.

9. On 18.2.2017, the issue was taken up as scheduled. Shri Rana Pratap Nath Bhowmik, the Complainant was present. From the Respondents' side, Shri Sankar De, General Manager(HR) along with their Senior Advocate, Shri Paramartha Datta was present. The Ld. Counsel pleaded that he was not in the station and could not respond to the pleadings and submissions made by the Complainant and prayed for time to file written brief. The Commission, taking into considering the ground on which the present adjournment is sought, allowed time and posted the matter on 25.3.2017 with stipulation that no further adjournments would be granted and directed the Respondent to furnish the following information along with written representation, if any, they would like to submit:

i) The assets of the Government of Tripura taken over by the TMC & Dr BRAM Teaching Hospital at the time of its constitution and assets owned by itself from out of its own fund as on the date;

ii) The expenditure borne by the Government of Tripura on the creation of infrastructure from inception of this Society in 2009 till 2015-16;

iii) The amount spent by the TMC. & Dr BRAM Teaching Hospital on creation of infrastructure during the above period from out of their own fund;

iv) The amount of recurring or non recurring grants or loans given by the Government of Tripura year-wise during the period and the terms and conditions governing the disbursal of such loans. A copy of order of any such sanction may be sent along with.

10. On 25.3.2017, the Complainant, Shri Rana Pratap Nath Bhowmik was present. Shri Sankar Dey, General Manager (HR) and Shri Paramartha Datta, Ld. Counsel for the Respondent were present from the Respondents' side. The Respondents had submitted replies to the queries made by the Commission and stated that (i) the Society for TMC & Dr. BRAM Teaching Hospital was registered on 23.5.2009 to look after the management of the College and Hospital as Global Education Net (GENET), the earlier private operator, suddenly left the college and M/s GENET had not handed over assets and liabilities to the Society/Government. However, land measuring 25 acres and a hospital building owned by the Government of Tripura were available at the time of constitution of the Society. In addition to the above, the Society as on 31.3.2015, procured fixed assets valued at Rs.7.35 Crore. The Society was reconstituted on 13.5.2015. Assets procured from 13.5.2015 to 31.3.2016 by the reconstituted Society was Rs.11.46 Crores and the accounts for 2016-17 is under compilation, (ii) Rs.156.23 Crore was borne by the Government of Tripura upto 2014-15 and Rs.20 Crore borne by the Government during 2015-16, (iii) The Society could not spend its own fund towards creation of infrastructure except Rs.7.35 Crore and Rs.11.46 Crore during the period of earlier society and reconstituted society respectively and for (iv) the Respondents have given papers regarding the amount of recurring and non-recurring grants or loans given by the Government of Tripura year-wise which indicates that for the year 2009-10, 2010-11, 2011-12, 2012-13, 2013-14, and for the year 2014-15, an amount of Rs.2745.35 lakh, Rs.2200 lakhs, Rs.3150 lakhs, Rs. 1610 lakhs, Rs. 3693 lakhs and Rs.2225 lakhs respectively had been sanctioned by the Government of Tripura.

11. It is seen from the facts of the case submitted in an affidavit by the Society for TMC & Dr. BRAM Teaching Hospital that the Society on its own had contributed

for infrastructure development only for an amount of Rs.18.81 Crore whereas from the Government the Society was given funds for infrastructure development for an amount of Rs.156.23 Crores. Besides that, the Society had also been enjoying a land of 25 acres and the Hospital building appurtenant thereto. Thus, it is seen that almost near about 90% of the infrastructure was developed with the funds given by the Government of Tripura from time to time.

12. The Society pleaded that whatever was given by the Government was on account of soft loans. However, it is stated in the hearing that the soft loans bear no interest and from year to year such soft loans are being given and repayment of such soft loans is a small portion of the loan amounts that is being given from year to year by the Government.

interest. The very fact that the funds are given as soft loans to be paid over a period of 10 (ten) years or so without any interest in itself means substantial funding as these loans are being given year after year for creation of infrastructure whereas repayment was very small and minor amount. Hence, arguments of the Society for TMC & Dr. BRAM Teaching Hospital that they are soft loans and cannot be said to be substantially financed by appropriate government does not stand to reason.

15. The Society for TMC & Dr. BRAM Teaching Hospital had pleaded that the Hon'ble High Court of Tripura in its judgment in WP(C) (PIL) No.03/2014 has directed the State Government to completely reconstitute the Committee within three months with fresh regulations and by-laws which will ensure that actual administrative control is of the said Society and not of the Government. The General Manager (HR) has submitted that the Committee has accordingly been reconstituted and hence it is no longer in the control of the Government and hence it cannot be treated as public authority. It is not within the scope of the Commission to go into an issue which the Hon'ble High Court of Tripura has already decided. This Commission is only looking into as to whether the Society for TMC & Dr. BRAM Teaching Hospital should be a public authority u/s 2(h)(d) of the RTI Act, 2005 and the Commission is not competent to pass any order or direction for change of its status except for the purpose of declaration of public authority for coverage under the provisions of the RTI Act. This Commission comes to the conclusion and accordingly holds that the Society for TMC & Dr. BRAM Teaching Hospital is a Public Authority u/s 2(h)(d)(ii) of the RTI Act, 2005 as it satisfies the conditions of substantially financed by the appropriate Government.

16. In the light of the above, the Society for Tripura Medical College & Dr. BRAM Teaching Hospital should immediately take steps within 15(fifteen) days for nominating State Public Information Officer and also the First Appellate Authority u/s 5(1) of the RTI Act, 2005 and within another 15(fifteen) days thereafter, the SPIO so nominated, shall dispose of the RTI Application dated 28.5.2016 of Shri Rana Pratap Nath Bhowmik, the Complainant in this case, as per provisions of the RTI Act.

17. With the above orders, the Complaint Case No.TIC-19 of 2016-17 is allowed and disposed of.

18. Let copy of this order be sent to the Complainant and the Respondents free of cost.

Sd/-

(Kasthala Venkataa Satyanarayana)
State Chief Information Commissioner

Authenticated by:

25/3/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION

Pt. Nehru Complex, Gurkhabasti

Agartala – 799 006

Complaint No. TIC-19 of 2016-17 / 7-8 Dated: 25.3.2017

Copy to:

1. Shri Rana Pratap Nath Bhowmik, S/o Shri Usha Ranjan Nath Bhowmik, Radhamadhav Sarani, PO: Dhaleshwar, Agartala – 799007.
2. The General Manager(HR), Society for Tripura Medical College & Dr. BRAM Teaching Hospital, Hapania, Agartala-799014 (SPIO).

25/3/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC- 45of 2016-17

Shri Sajal Kanti Singha, S/o Shri Rebati Mohan Singha, PO & Vill : South Charilam, PS: Bishramganj, District : Sepahijala, Tripura-799 103.

.....Complainant

V E R S U S

The Block Development Officer, Charilam R.D. Block, Charilam, Sepahijala, Tripura, (SAPIO).

.....Opposite party.

In the matter of a Complaint under Section 18(1) of the RTI Act,2005.

PRESENT

Shri Kasthala Venkataa Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Complainant:	Shri Sajal Kanti Singha
For the Opposite party:	Shri Ratan Bhowmik, BDO & SPIO
Date of filing Complaint:	24.11.2016 and received by the Commission on 25.11.2015
Date of hearing:	7.2.2017
Date of order:	7.2.2017

ORDER

Shri Sajal Kanti Singha filed an RTI Application with the Block Development Officer, Charilam R.D. Block on 28.10.2015 seeking information under RTI Act, 2005. The SPIO did not supply the information. He made his first appeal to the First Appellate Authority (for short called "FAA") on 6.1.2016 and the FAA had asked the SPIO to supply the information. Being aggrieved and dissatisfied by the incomplete supply of information, Shri Sajal Kanti Singha, filed the second appeal before the Commission which numbered as Appeal TIC-25 of 2016-17 and the Commission passed orders on 4.8.2016 directing the SPIO to supply the muster rolls relating to Smti. Bijaya Debnath free of cost to the Appellant, Shri Sajal Kanti Singha.

2. Shri Sajal Kanti Singha filed a complaint dated 24.11.2016 before the Commission. The Complaint was admitted and registered as Complaint No.TIC-45 of 2016-17 and posted

for hearing today, the 7th February, 2017 duly issuing summons to the SPIO and notice to the Complaint.

3. Today at the hearing, Shri Sajal Kanti Singha, the Complaint in this case was present. From the Opposite party, Shri Ratan Bhowmik, BDO, Charilam and SPIO was also present.

4. The Complainant argued that i) he was given copies of the six muster rolls for the year 2012-13 and out of six muster rolls, only one muster roll has got the name of Smti. Bijaya Debnath and other do not have the names of Smti. Bijaya Debnath but the name of Shri Paresh Debnath and others; ii) the signature of Smti. Bijaya Debnath in the muster roll is not the real one but it was signed as Biplab Debnath with some overwriting, iii) as per MGNREGA Act, Unique No. has to be allotted to each work which was not found in the muster roll, iv) the muster rolls were not signed by the Programme Officer or any authorized officer as mandated under MGNREGA Act, 2005, v) the muster rolls copies of which were supplied were not authenticated by the SPIO.

5. The SPIO in charge who was present had filed a written representation on 3.2.2017 stating that he had supplied the muster rolls of six numbers of which only one muster roll having MSR No.003226 containing the name of Smti. Bijaya Debnath and that all the six muster rolls were supplied to the Complainant on 20.8.2016. The SPIO also stated that Smti. Bijaya Debnath was not issued any job card but she was enlisted in the Job Card of Shri Paresh Debnath who is the Head of the family in which Smti. Bijaya Debnath is a member. During hearing today, SPIO in-charge was present and stated that there is only one muster roll in which Smti. Bijaya Debnath was listed and other copies were supplied as it contained the name of Shri Paresh Debnath holder of the job card, who is the Head of the family in which Smti. Bijaya Debnath also included only to make it amply clear and transparent.

6. The Commission has gone into the arguments of the Complainant and the submissions made by the SPIO and passed the following orders:

i) The directions of the Commission were to supply the muster roll of Smti. Bijoya Debnath which was supplied. Not only the muster roll of Smti. Bijaya Debnath but the SPIO had also supplied the muster roll in which the Head of her family and holder of the Job card Shri Paresh Debnath was also listed. Since the SPIO stated that there is no other job card or any other muster roll for the relevant period belonging to Smti. Bijaya Debnath, there is no further information to be supplied. The Commission agrees and not issuing any further

direction in the matter. However, the muster rolls be supplied again with proper authentication by SPIO.

ii) - The arguments of the Complainant is that there are deviations in the muster roll from what was mandated under the MGNREGA Act, 2005. He wants the Commission to inquire into these deviations. It is not for the Commission to inquire into the implementation of the MGNREGA Act. The document as available was already supplied. If there are irregularities in the maintenance of the muster roll like non tallying of the signature; fake signature; lack of unique identity number for the workers in the muster rolls and the absence of counter signature by the Programme Officer, it is for the Complainant to escalate his grievance to the appropriate authorities if there are any deviations or irregularities. This Commission is only concerned with the disclosure of information and document as is available and not about creation of the information, record or documents.

iii) However, the point of the Complainant that muster roll copies were not authenticated is a very valid one and the SPIO should not have supplied unauthenticated copies in the first place. The muster rolls were supplied in compliance of the orders dated 4.8.2016 of the Commission. The SPIO should supply again the authenticated copies of the muster rolls within 3(three) days from the date of passing of this order.

7. With the above orders, the Complaint case stands disposed of.

8. Let copy of this order be sent to the Complainant and the SPIO.

Sd/-
(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

7/2/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC- 45 of 2016-17/1570-71 Dated: 7.2.2017

Copy to:

1. Shri Sajal Kanti Singha, S/o Shri Rebati Mohan Singha, PO & Vill : South Charilam, PS: Bishramganj, District : Sepahijala, Tripura-799 103.

2. The Block Development Officer, Charilam R.D. Block, Charilam, Sepahijala, Tripura, (SAPIO) .

7/2/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-07 of 2016-17

Dr. Partha Sarathi Chakraborty, Retired Medical Officer, 3, Mantribari Road, Agartala, West Tripura-799001

.....Appellant

VERSUS

1. The Principal, AGMC & GBP Hospital, Government of Tripura, Agartala [First Appellate Authority]
2. The Medical Superintendent, AGMC & GBP Hospital, Government of Tripura, Agartala (SPIO).

.....Respondents

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Appellant: Dr.Partha Sarathi Chakraborty, the Appellant.

For the Respondent: Dr. Subrata Baidya, MS, AGMC & GBP Hospital (SPIO)

Date of filing appeal: 23.4.2016

Date of hearing: 14.6.2016

Date of judgment and order: 14.6.2016

ORDER

An appeal was filed by Dr. Partha Sarathi Chakraborty for non-furnishing of information against his RTI Application dated 8.6.2015 by the SPIO of the AGMC & GBP Hospital, Agartala. The information asked by Dr. Chakraborty relates to sanction and payment of his Group Insurance claim after his retirement. Being dissatisfied, the Appellant made a first appeal dated 2.11.2015 before the Principal, AGMC who is the First Appellate Authority and the case was heard by the FAA on 26.11.2015 and an order was passed by

granting time to the SPIO to verify the signature of the receiving clerk in the Peon Book who actually received the letter No.F.1(7)-GIS/HD/2012(P-1)/6672 of Addl. Director, Small Savings, Group Insurance & Institutional Finance, Government of Tripura. Being unhappy with the responses and action of the FAA, Dr. Partha Sarathi Chakraborty, the Appellant, approached the Commission for redress.

2. The Commission admitted the appeal and posted for hearing on 14.6.2016. Summons were served and notice was issued. Dr. Subrata Baidya, M.S. AGMC & GBP Hospital who is the SPIO was present from the Respondents' side and Dr. Partha Sarathi Chakraborty, the Appellant was also present.

3. The SPIO has informed during hearing that the Receipt Register of the relevant time was misplaced as there was shifting of office and because of which they could not give the information for serial no.1. However, on an RTI query, the Directorate of Small Savings, G.I. & Institutional Finance, Government of Tripura, have informed the Appellant that the relevant letter was received by the office of the Medical Superintendent, AGMC & GBP Hospital (SPIO) on 5.12.2012. For item no.2, the information has already been supplied to the satisfaction of the Appellant. The item no.3 relates to the full name & designation of staff given responsibility to respond to the letter mentioned at serial no. 1. Since the letter receipt date was not located, the SPIO argued that since the first letter was not traced due to the misplacement of the Receipt Registers, the information was not available. However, the Commission is of the opinion that since the Group Insurance Authority had said that the said letter was received by the AGMC & GBP Hospital on 5.12.2012. The names of the person dealing with the Group Insurance in the GB Hospital from 5.12.2012 onwards along with officer in-charge should be intimated to the Appellant. So far as item no.4 is concerned, the information regarding file note copies relating to the Group Insurance of Dr. Partha Sarathi Chakraborty was not furnished and the Commission directs that the same should be furnished to the Appellant. Since item no.5 is akin to item no.3, the names and designations of the persons who were in-charge of the Gazetted Section dealing with Group Insurance claim of the Appellant at that relevant time should be intimated. Item no. 6 & 7 do not come under the definition of information u/s 2(f) of the RTI Act as they are not existing information and amounts to seeking opinion and hence they need not be supplied.

4. Now, the SPIO should give information in seriatim from item no. 1 to 5. In respect of item no.1, the Commission tends to accept the contention of misplacement of Receipt Registers as reportedly there was shifting of office. However, without going into the technicalities, the SPIO should answer for item no.3 from 5.12.2012 onwards. This reply should be furnished.

5. There is inordinate delay (more than two years) for the sanction of Group Insurance claim of Dr. Partha Sarathi Chakraborty, Retired Medical Superintendent of AGMC & GBP Hospital, Agartala. The matter is referred to the Principal Secretary, Health & Family Welfare Department, Government of Tripura to look into the matter and to take necessary action for the delay and the inherent pecuniary loss caused to the Appellant.

6. With the above orders, the Appeal stands disposed of.

7. Let copy of this order be sent to the Appellant and the Respondent free of cost. Copy of the order be also sent to the Principal Secretary, H & FW Department, Government of Tripura.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-07 of 2016-17/665-68 Dated: 14.6.2016

Copy to:

1. Dr. Partha Sarathi Chakraborty, Retired Medical Officer, 3, Mantribari Road, Agartala, West Tripura-799001
2. The Principal, AGMC & GBP Hospital, Government of Tripura, Agartala [First Appellate Authority]
3. The Medical Superintendent, AGMC & GBP Hospital, Government of Tripura, Agartala (SPIO).
4. The Principal Secretary, Health & Family Welfare Department, Government of Tripura, Secretariat, Capital Complex, Agartala-799 006.

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-08 of 2016-17

Shri Girindra Nath, S/o Late Sishu Nath, C/o Shri Dhirabrata Nath, Village : Ahalyapur, PO: Kanchanpur, North Tripura, PIN-799 270

.....Appellant

V E R S U S

1. The First Appellate Authority, TTAADC, Khumluwng, West Tripura.
2. The State Public Information Officer, TTAADC, Khumluwng, West Tripura.

.....Respondents

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri K.V. Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Appellant: Shri Dhirabrata Nath, representing the Appellant.
For the Respondents: Shri Subikash Debbarma, Addl CEO,TTAADC(FAA)
Shri Dhananjoy Debbarma, E.O. TTAADC (SPIO)

ORDER
Dated: 15.6.2016

This case has arisen on account of a second appeal under RTI filed by Shri Girindra Nath, the Appellant, against the SPIO, TTAADC, stating incomplete supply of information by the SPIO in reference to his RTI application dated 2.2.2016. The Appellant had also filed first appeal before the First Appellate Authority of TTAADC on 2.3.2016. The TTAADC had supplied some information on 24.3.2016 by Registered post. However, the Appellant approached the Commission.

2. The Commission admitted the appeal as Second Appeal and issued summons and notice to the parties for hearing on 15.6.2016 at 11.30 AM. The Appellant, Shri Girindra Nath was not present. However, he has authorized his grandson, Shri Dhirabrata Nath to represent him which was accepted by the Commission. For the

Respondents, Shri Subikash Debbarma, Addl. CEO, TTAADC and FAA and Shri Dhananjoy Debbarma, E.O.(Admn) and SPIO were present.

3. After point-wise discussion and after hearing the Respondents as well as the authorized representative of the Appellant, following directions are passed:

i) The Appellant had asked for the promotion list of LDC to UDC with their service bio-data and statistics from 2008 to till date and how the ratio of caste quota maintained. The Respondents have stated that they have supplied the list but the representative of the Appellant, Shri Dhirabrata Nath, who appeared before the Commission, stated that the information which was furnished, the particular information i.e. the list of promotees from LDC to UDC was not there and hence the list should be supplied. In so far as service bio-data/statistics are concerned, this information is not part of the promotion list and hence the same cannot be created separately. The SPIO should supply list of persons promoted from LDC to UDC from 2008 onwards. Further, the copy of the seniority list of the LDC whoever promoted should also be supplied to the Appellant. With reference to reservation quota, etc. at the time of promotion is concerned, the agenda notes for the DPC should also be supplied.

ii) From the information which is supplied to the Appellant, it is seen that the DPC minutes for promotion from LDC to UDC from 2008 onwards was not supplied. Hence, the DPC minutes for promotion from LDC to UDC from 2008 onwards should be supplied.

iii) With reference to item no.3, the Respondents have stated that only five people have got promotion from Group-D to LDC during the period mentioned by the Appellant and a copy of the office order dated 2.12.2014 in which list of such promotees and their certificate are also supplied to the Appellant. Shri Dhirabrata Nath who appeared on behalf of the Appellant, admitted that the said information was received and hence there is no further information to be supplied against item no.3.

iv) With reference to item no.4, the TTAADC has supplied the list of incumbents sanctioned with special increment for sterilization from the year 2008 onwards containing the names of 9 (nine) persons. However, it is seen from the Appellant's petition that he had asked it from 1.1.2006 onwards. Hence, the information on this point for the years 2006 and 2007 should also be supplied. In so far as documents relating to sterilization in respect of officials from 1.1.2006 to till date are concerned, this information need not be supplied as these are third party information and no public interest is shown.

v) All the documents containing information on all the above points should supplied with authentication by the SPIO within 10(ten) days.

4. The Respondents have stated that the information can be collected if it is agreeable to the Appellant from the office of the SPIO in person. Shri Dhirabrata Nath representing the Appellant has also agreed to collect it from the office if he is intimated that the information is ready for supply. Hence, the Commission directs that the information should be made available before 25th of June, 2016 and Shri Dhirabrata Nath should be intimated to collect the same accordingly.

5. With the above order, the Appeal stands disposed of.

6. Let copy of this order be sent to the Appellant and the Respondents free of cost.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

15/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-08 of 2016-17 Dated: 15.6.2016

Copy to:

1. Shri Girindra Nath, S/o Late Sishu Nath, C/o Shri Dhirabrata Nath, Village : Ahalyapur, PO: Kanchanpur, North Tripura, PIN-799 270
2. The First Appellate Authority, TTAADC, Khumluwng, West Tripura.
3. The State Public Information Officer, TTAADC, Khumluwng, West Tripura.

15/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION

Pt. Nehru Complex, Gurkhabasti

Agartala – 799 006

Appeal No. TIC-09 of 2016-17

Shri Ratish Debnath, Ranirbazar, P.O. Dhan Chowmuhani, Tripura West, Pin-799 035.

.....Appellant

VERSUS

1. The Additional Chief Executive Officer, TTAADC, Khumulwng, West Tripura (FAA).
2. The Executive Officer, Admn, TTAADC, Khumulwng, West Tripura (SPIO).

.....Respondents

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri Kasthala Venkataa Satyanarayanaa, IAS (Retd)

State Chief Information Commissioner

1.	For the Appellant:	Shri Ratish Debnath, the Appellant
2.	For the Respondents:	Shri Subikash Debbarma, Addl.CEO, TTAADC.(FAA) Shri Dhananjoy Debbarma, E.O,Admn. TTAADC(SPIO).
3.	Date of filing Appeal:	25.4.2016 and received by the Commission on the same date.
4.	Date of Hearing:	18.06.2016
5.	Date of Judgment and Order:	18.06.20156

ORDER

Shri Ratish Debnath, the Appellant, filed an application before the State Public Information Officer (SPIO) TTAADC, Khumulwng, West Tripura on 8.2.2016 for supply of certain pieces of information. Having not received the information, he filed first appeal on 22.3.2016 before the Addl. C.E.O. TTAADC who is the First Appellate Authority. Again having failed to elicit any response, Shri Ratish Debnath, the

Appellant, filed second appeal before the Commission on 25.4.2016 which was admitted by the Commission and posted for hearing on 18.6.2016 duly issuing notice to the Appellant and summons to the First Appellate Authority (FAA) and the SPIO, TTAADC.

2. During hearing, Shri Ratish Debnath, Appellant was present in person and from the Respondent's side Shri Subikash Debbarma, Addl. CEO and FAA and Shri Dhananjoy Debbarma, Executive Officer (Admn) and SPIO, TTAADC were present.

3. The SPIO had filed a written petition before the Commission vide his letter dated 13.6.2016 stating that the RTI application of Shri Ratish Debnath was not received in his office and that the signature given in the receipt seal dated 8.2.2016 does not match with that of the receiving clerk of the TTAADC, Smti Nipu Bhowmik. However, the Commission has gone through the receipt submitted by the Appellant and found that there is an initial with the seal of the TTAADC dated 22.3.2016 as acknowledgement of the receipt. However, the SPIO is denying the said signature with that of the receiving clerk and also produced the receipt register to prove that the same was not even entered in the receipt register. However, the Appellant, filed the first appeal before the FAA. The FAA stated during hearing that the notice issued by him was related to an earlier case and not related to the present case. The Appellant had stated that he had not received any notice from the FAA. So, the Commission concludes that the FAA had not taken action presumably on the ground that the original RTI application was in fact not received by the SPIO. It is a laxity on the part of the FAA as when the appeal is filed by the Appellant along with copy of the RTI application submitted to the SPIO, it is the duty of the FAA to hear the case duly issuing notice the Appellant and the SPIO. There is lapses on the part of the FAA in not conducting the hearing on the first appeal though based on the first appeal the FAA had called report of the SPIO and the SPIO had also given point-wise information regarding the information sought by the Appellant to the FAA.

4. On the date of hearing, the Commission had gone through the record. It is clear that there is an initial as well as seal as acknowledgement of receipt of the RTI Application submitted by Shri Ratish Debnath, though from the initial it is difficult for the Commission to find out the name of the person receiving the application. The SPIO submitted that it is not the signature of Smti. Nipu Bhowmik who is the receiving clerk and in support of that he had submitted the signature/initial of Smti. Nipu Bhowmik which does not tally with the acknowledgement available with the Appellant. Hence, the Commission directs the SPIO/FAA to find out and tally this initial with the staff working in the receipt section as it is possible that in the absence of receiving clerk on that particular time somebody else might have received the RTI application and it should be done within 10(ten) days to see that whether it was in fact the initial of other persons in the receipt section. If it tallies with any of the staff member, it should also be ascertained as to what had

happened to the RTI Application submitted by the Appellant and to fix responsibility and in case it is not tallying, the same should be intimated to the Appellant.

5. After point-wise discussion on the information sought by the Appellant, the following directions are issued:-

i) The Appellant wanted some information about the ZDO(West), Shri Upendra Debbarma. The SPIO had informed the Commission that he is ready to supply the information and hence the information should be supplied.

ii) He asked information about Shri Ratan Barua, Jr. SEO, Kanchanpur. In fact he had asked for copy of appointment letter of the said Jr. SEO and related documents which was amplified as SC Certificate and service qualification only during hearing. Since these are not any secret documents and based on these Shri Ratan Barua entered into service, the Commission directs the SPIO to supply copy these to the Appellant. However, the SPIO stated that these information are available with the Principal Officer(Education), TTAADC who is a separate SPIO. Therefore, the SPIO is directed to transfer the application with the direction of the Commission to supply the information to the Principal Officer (Education), TTAADC for supply of the information to the Appellant.

iii) Shri Ratish Debnath, the Appellant, had asked about the appointment order of the Accounts Officer, Shri Rabindra Debbarma and other documents. Since he had not specified what are the other documents, the Commission directs that only the appointment order of the Accounts Officer, Shri Rabindra Debbarma should be supplied. If any specific document is required, it is open to the Appellant to file a separate RTI Application based on which a third party notice has to be issued if it involves personal information of the employee concerned.

iv) Item no.4 relates to a different RTI application made by Shri Ratish Debnath enclosing an IPO for Rs.10/- which the ZDO(West) has stated an invalid IPO and the matter was carried in appeal before this Commission. The Commission had adjudicated the matter and had decided that the IPO was in fact an invalid IPO which was purchased more than 24 months before. During hearing, Shri Ratish Debnath, the Appellant, had also stated that with reference to that case, the ZDO(West) had also issued him a letter as to why action should not be taken against him (Appellant) for submitting an invalid IPO. It is seen that it is of a different case and besides no cause of action arises merely by the letter of the ZDO(West). Since item no.4 does not relate to any information to be supplied, the Commission is not issuing any direction.

6. However, in the penultimate para (point-e) in item no.4, he had asked whether any action was taken against the ZDO(West), the TTAADC should give a factual reply.

7. **All information as per above directions should be given within a week from the date of this order.**

8. With the above directions, the Appeal case stands disposed of.

9. Let copy of this order be sent to the Appellant and the Respondents free of cost.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

18/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION

Pt. Nehru Complex, Gurkhabasti

Agartala – 799 006

Appeal No. TIC-09 of 2016-17/ 688-90 Dated : 18.6.2016

Copy to:

1. Shri Ratish Debnath, Ranirbazar, P.O. Dhan Chowmuhani, Tripura West, Pin-799 035.
2. Shri Subikash Debbarma, Additional Chief Executive Officer, TTAADC, Khumulwng, West Tripura (FAA).
3. Shri Dhananjoy Debbarma, Executive Officer, Admn, TTAADC, Khumulwng, West Tripura (SPIO).

18/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-16 of 2016-17

Shri Debasish Sarkar, C/o Shri Subhashis Danda, Sujan Palli, Jagannath Bari Road, Bidurkarta Chowmohani, Agartala, West Tripura.

.....Appellant

VERSUS

1. The First Appellate Authority, Directorate of Animal Resources Development Department, Government of Tripura, Gurkhabasti, Agartala-799 006.
2. The State Public Information Officer, Directorate of Animal Resources Development Department, Government of Tripura, Gurkhabasti, Agartala-799 006.

.....Respondents

In the matter of an Appeal under Section 19(3) of the RTI Act,2005.

ORDER
Dated: 30.8.2016

The case was heard on 14.7.2016 on which date Shri Debasish Sarkar , the Appellant, was present and he was heard. It was stated by the Appellant that he had filed similar RTI Applications with several departments seeking voluminous information about seniority list of each and every post/grade/cadre, verified roster of each and every post/grade/cadre as on 31st March, 2015, number of sanctioned posts against SC/ST/UR category in each and every post/grade/cadre separately upto 31st March, 2015, up-to-date status of men in position showing the number of posts occupied SC/ST/UR category in each and every posts/grade/cadre separately as on 31.3.2015, up-to-date vacant posts against SC/ST/UR in each and every posts/grade/cadre separately on 31.3.2016.

2. On that date (14.7.2016), the SPIO was not present and the Appellant also did not fully state what information was supplied and what information was not supplied. It was seen during hearing on 14.7.2016 that the information reportedly sent by the SPIO on 17.6.2016 but had not been received by the Appellant and hence the case was deferred and posted for hearing today, i.e. 30th August, 2016.

3. During hearing today on 30.8.2016, the Respondents were represented by the SPIO, Shri Prasad Das and the First Appellate Authority, Dr. M. Sarkar, Director,

ARDD. They have submitted that they supplied huge information and claimed that they had to collect and compile from different files as the Appellant had asked information about the number of sanctioned posts for each and every category. They have also claimed that there is no public interest in accessing these information. They have also replied on the same line about the query for up-to-date status of men in position against each and every posts occupied by SC/ST/UR category separately in each and every post/grade/cadre.

4. The Appellant, Shri Debasish Sarkar was present. He had filed a letter stating that while he had got lot of information, he was yet to b given seniority list about 13 category of posts and that 100 Point roster was also not supplied. He had also stated that they have supplied information in Annexure-A and that the figures given in the Annexure for various posts, sanctioned posts and vacancy position are not tallying. The SPIO stated that they cull out and prepare from various papers. However, it is seen that there are certain errors in the Statement. Since they have already supply this Annexure, a corrected copy of the said Annexure should be supplied.

5. However, the Commission do not see any public interest for supplying such voluminous information as the Appellant had just not cared to even asked the information for any particular post/category but simply written all categories of posts/grade and cadre which itself indicate that he is not particular about any single category of posts but had only filed similar applications to this department and also to Land Records & Settlement Department, though he is not an employee.

6. The Commission having carefully considered found that there is no public interest as he had not asked for any particular post but only interested in writing about all posts without even knowing what are the posts existing in the Department. If this kind of RTI Applications are allowed, then one can file applications seeking information from all departments seeking truckloads of information which will be a mockery of the RTI Act. Hence, the Commission is not directing the SPIO to furnish any further information about seniority list or other information, except correcting Annexure-A which was already supplied.

7. However, the Commission directs the SPIO to supply the name of the posts, number of SC/ST/UR posts, men in position and category-wise vacancies within 10(ten) days. Seniority list need not be supplied.

8. It has been found that the SPIO received the RTI Application on 28.12.2015 but the SPIO supplied the information on 17.6.2016 and prior to this no reply has been given to the Appellant. The Appellant filed the first appeal on 22.2.2016 and the FAA did not hear the matter compelling him to approach the Commission with the second appeal. Irrespective of whether the information has to be disclosed or not to be disclosed, it is incumbent upon the SPIO to dispose of the RTI Application within 30 days by passing a suitable order and it is also incumbent upon the FAA to

hear the first appeal within 30 days. Both have failed to do so. While the Commission has disallowed disclosure of some information in the above order, it would not like to overlook the negligence of the SPIO and the FAA and hence as a measure of penalty, a token of penalty Rs.500/- on the SPIO and Rs.500/- on the First Appellate Authority is hereby imposed. The penalty should be recovered from the officers concerned and should be deposited into the appropriate head of account i.e. *Major Head – 0070 – Other administrative services, Sub-Major Head – 60-Other services, Minor Head- 118 Receipts under RTI Act,2005 and compliance should be sent to Tripura Information Commission within one month.*

9. With the above order, the case is disposed of.

10. Let copy of this order be sent to the Appellant and the Respondents free of cost.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

30/8/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-16 of 2016-17/1010-12 Dated: 30.8.2016

Copy to:

1. Shri Debasish Sarkar, C/o Shri Subhashis Danda, Sujan Palli, Jagannath Bari Road, Bidurkarta Chowmohani, Agartala, West Tripura.
2. The First Appellate Authority, Directorate of Animal Resources Development Department, Government of Tripura, Gurkhabasti, Agartala-799 006.
3. The State Public Information Officer, Directorate of Animal Resources Development Department, Government of Tripura, Gurkhabasti, Agartala-799 006.

30/8/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 24 of 2016-17

Shri Rabi Ranjan Dhar, S/o Late Harish Chandra Dhar, Vill & PO : Sekerkote, PS: Amtali, West Tripura, PIN-799 103.

.....Appellant

VERSUS

The State Public Information Officer, O/o the PCCF, Aranya Bhawan, Gurkhabasti, Agartala-799 006.

.....Respondent

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

1. For the Appellant: Shri Siraj Ali, Advocate, representing the Appellant.
2. For the Respondent: Shri Animesh Das, SPIO
3. Date of filing Appeal: 28.6.2016 and received by the Commission on the same date.
4. Date of Hearing: 8.8.2016, 23.8.2016 & 19.9.2016
5. Date of Judgment and Order:19.9.2016

ORDER

The case was posted and heard today. Shri Rabi Ranjan Dhar, the Appellant along with his Learned Counsel, Shri Siraj Ali was present. From the Respondent's side, Shri Animesh Das, SPIO was present.

2. The brief facts of the case are that Shri Rabi Ranjan Dhar filed an RTI Application dated 19.4.2016 before the State Public Information Officer (SPIO) of PCCF office who did not give the information within the stipulated time. Aggrieved by that, Shri Rabi Ranjan Dhar, the Appellant, approached the First Appellate Authority (FAA) on 19.5.2016 by filing the first appeal and the FAA vide his order dated 13.6.2016 directed the SPIO to supply the information within 10 (ten) days. It was also stated that the SPIO apparently did not supply the information as the

process for recruitment had not been completed. However, since the process was completed, the information was supplied, *albeit* a delay of about one week, finally on 30.6.2016.

3. During hearing on 8.8.2016, while the learned Counsel for the Appellant did admit that the information in so far as item no 1 & 2 was supplied giving marks in the interview. The physical measurements of the persons called for Walking test/ interview were not given. He also stated that for Token No.904 who is reportedly the son of the Appellant, Shri Rabi Ranjan Dhar, the name of the candidate was also not written in the information. It is pertinent to point out that while the Appellant had asked for information against Token no. without specifying that the name of the individual candidate should be given. Be that as it may be, since for all the Tokens, names of the candidates were given, but it is proper to give the name of the candidate against Token no. 904 also.

4. The SPIO pointed out that those who had attended the Walking test and interview were those people who crossed the threshold of the physical measurement criteria prescribed for the post, but to disclose actual measurement except stating that they have satisfied the criteria would amount to invasion of privacy and that third party notice was issued because this being the third party information. The SPIO during hearing took the view that there is no public interest which warrants disclosure of the physical measurements of the selected candidates who have crossed the minimum threshold of physical measurements. The learned Counsel for the Appellant took the view that the very fact that they are all selected, there is nothing secret about the actual physical measurements of the persons and hence there is public interest.

5. The Commission having heard the matter on 8.8.2016 finds that the Appellant in this case is not the candidate for the post of Forester but filed the RTI Application for information for which substantial information has already been parted with. However, the Commission has to be satisfied as to whether there is outweighing public interest for disclosure of actual physical measurement of the selected candidates and deferred the case to 23.8.2016 for hearing. However, on 23.8.2016, the Appellant sought time as his Counsel was unable to appear on health ground and the case was posted for hearing on 19.9.2016 for next hearing.

6. Today during the hearing, Shri Siraj Ali, Learned Counsel for the Appellant, Shri Rabi Ranjan Dhar was present. From the Respondent's side, Shri Animesh Das, the SPIO was present.

7. The information seeker had asked details of the interview marks of the candidates who were called for Walking Test/Interview. He had asked for information in respect of specified roll numbers. In addition to that he had also asked the physical measurements of the individual selected candidates. The

Appellant had also asked for information of Roll No. 904. It transpired that Shri Rabi Ranjan Dhar, the Appellant in this case is the father of Shri Sujit Dhar, a candidate holding roll no.904. However, the application for information under RTI was not filed by the candidate, Shri Sujit Dhar himself, but the father of the candidate.

8. The application for information was received by the SPIO on 19.4.2016 and the information was not furnished in time and the case was carried in Appeal to the First Appellate Authority who pronounced his order on 13.6.2016 directing the SPIO to supply the information within 10(ten) days. In response to that, the SPIO supplied the information. Aggrieved by the supply of information, the Appellant preferred second appeal before the Tripura Information Commission 28.6.2016 and was heard by the Commission on 8.8.2016. The Commission recorded on that date that the Appellant is not the candidate for the post of Forester but filed the RTI Application for information for which substantial information has already been parted with and the Commission has further observed that the Commission has to be satisfied as to whether there is outweighing public interest for disclosure of the actual physical measurement of the selected candidates and posted the case for further hearing on 23.8.2016. On 23.8.2016, the Appellant had prayed for time stating that his learned Counsel is unable to appear on health ground. Accordingly, in order to give another opportunity, the case was postponed and fixed for hearing today, the 19th September, 2016.

9. Shri Siraj Ali, the learned Counsel for the Appellant argued that in respect of his RTI Application, the SPIO had supplied the total marks for the interview without giving the breakup whereas he intended to have the breakup. Secondly, he had also asked for information in respect of Roll No.904 in addition. He also argued that information about the physical measurements of the selected candidates is nothing confidential as it is the basis on which the selection was made and that his client had right to obtain this information. In support of his claim he has cited a decision of the Hon'ble Supreme Court of India in Civil Appeals No.823-54 of 2016 with No.855 of 2016 decided on February 4, 2016 in which the Supreme Court had held in batch of appeals by the Kerala Public Service Commission and Others that the names of the examiners who evaluated the answer scripts need not be shared. However, the request of the information seeker about his answer script and details of the interview marks should be provided to them as the same is not something which a public authority keeps under fiduciary capacity. The Hon'ble Supreme Court had further held that this practice will ensure fair play in the competitive environment where candidates put his time preparing for the competitive examinations.

10. The SPIO had stated that since the RTI Application talked about marks obtained in the interview and hence they have provided the total marks obtained in the interview. The Commission, however, feels that when a person is seeking marks in the interview, it can also include breakup of the interview marks since the

information is kept in that format only as seen in other similar cases. Hence, the Commission directs the SPIO to supply the marks obtained by each of the selected candidates duly giving the breakup in which it is maintained. However, the SPIO had stated that physical measurements of a candidate is only qualifying in nature and do not have any relationship with Grading or Ranking once the threshold of minimum physical measurements is met with. There are candidates of different genders and giving the actual physical measurements would be violative of their privacy. The learned Counsel for the Appellant did not agree on this point.

11. After hearing both the parties, the Commission passed the following orders:

i) The SPIO should supply the breakup of marks obtained and total marks obtained by the selected candidates. Regarding information about Roll No.904 relating to Shri Sujit Dhar who is son of the Appellant, the Commission directs that only Shri Sujit Dhar can ask his information as the Appellant is not the candidate and Shri Sujit Das is not one of the selected candidates. The SPIO should supply the information to the candidate with Roll No.904 only after he files an RTI Application.

ii) In so far as physical measurements are concerned, the SPIO should clearly spell out to the information seeker whether all the selected candidates have fulfilled the minimum physical measurements prescribed for the post or not. Once the same is supplied by the SPIO, there is no reason to divulge the specific details of the physical measurements of the selected candidates as the physical measurements are not counted for Grading or Ranking once the threshold is met. In the light of this, the request of the information seeker to this extent is not accepted by the Commission.

12. The Appellant proposes to collect the information in person and hence it should be given by hand to him within 3(three) days.

13. Let copy of this order be sent to the Appellant and the Respondent free of cost.

Sd/-
Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

19/9/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 24 of 2016-17/ 1083-84 Dated : 19.9.2016

Copy to:

1. Shri Rabi Ranjan Dhar, S/o Late Harish Chandra Dhar, Vill & PO : Sekerkote, PS: Amtali, West Tripura, PIN-799 103.

2. The State Public Information Officer, O/o the PCCF, Aranya Bhawan, Gurkhabasti, Agartala-799 006.

19/9/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-34 of 2016-17

1. Smti. Shrimati Debbarma, W/o Late Khagendra Debbarma, Vill : Mayachari, PO: Ramdurlavpur, Dhalai, Tripura – 799 285.

.....Appellant

VERSUS

1. The First Appellate Authority, Tripura State Electricity Corporation Ltd., Bidyut Bhawan, North Banamalipur, Agartala.
2. The Deputy General Manager, Tripura State Electricity Corporation Ltd., Bidyut Bhawan, North Banamalipur, Agartala (SPIO).

.....Respondents.

Date of Hearing: 22.9.2016
Date of Issue of Order: 22.9.2016

Present: **Shri K.V. Satyanarayanaa, IAS (Retd)**
State Chief Information Commissioner

For the Complainant: Smti. Shrimati Debbarma, the Appellant.

For the Respondents: Shri B.K.Hrangkhawal, FAA & AGM, TSECL

Subject: Appeal under Section 19(3) of the RTI Act,2005.

ORDER

Smti. Shrimati Debbarma, the Appellant, filed an application before the SPIO on 6.4.2016 seeking to know the status of her application for employment under die-in-harness scheme as her late husband, who died on 1.4.2011, was an employee with the TSECL (earlier under Power Department). As the Appellant did not get any response, she filed the first appeal before the First Appellate Authority on 28.6.2016.

The FAA did not conduct any hearing. Aggrieved by that, Smti. Debbarma filed the second appeal dated 10.8.2016 before the Commission which was received on 20.8.2016.

2. It is found that the SPIO had replied on 13.7.206 to Smti Debbarma against the five points of queries made by her. However, for the information relating to query no.1 about reasons for delay, the SPIO has refused to provide information invoking Clause 2(f) of the RTI Act presumably as it is information. Similarly, for the information relating to the 2nd and 3rd items about the names and designation of officers with whom her application for employment was pending and other information, the SPIO claimed exemption citing clause 2(f) of the RTI Act as it is not information.

3. Upon admission of the second appeal of Smti. Shrimati Debbarma, the Commission had issued summons to the SPIO and FAA and notice to the Appellant fixing the date for hearing today, the 22nd September, 2016 at 11.30 AM.

4. On the date of hearing i.e. 22.9.2016, the SPIO is absent. However, the FAA, Shri B.K. Hrangkhawal, was present. The FAA stated that the SPIO was absent due to his urgent official work regarding maintenance of electrical works on the eve of Durga Puja. He had stated that he did not hear the first appeal as he came to know that SPIO would supply the information. However, action of the FAA is a lapse under the provision of the RTI Act as the FAA cannot withhold the hearing of the case based on assurance of the SPIO when it was not already supplied. It is also seen that the SPIO had, in fact, denied some of the information and hence the FAA ought to have heard the matter and passed appropriate orders. The Commission records its disapproval of the inaction of the FAA, but desists from imposing any penalty as it had not found any mala fide intention on the part of the FAA.

5. Now the Commission has gone into the information supplied and the information which has not been supplied and passed the following orders:-

i) The Commission agrees with the contention of the SPIO that the reasons for the delay need not be furnished as it is not information under the RTI Act. However, in respect of item no.2 relating to the names and designation of officers with whom her application for job under die-in-harness was pending and the item no.3 relating to the period when it was lying with which officer and what action was taken by that officer is concerned, the Appellant is seeking factual information and hence the reply for item no. 2 and 3 ought to be given by the SPIO. Hence, the Commission directs the SPIO that information relating to item no. 2 & 3 should be furnished to the Appellant within 15(fifteen) days from the date of this order.

6. Be that as it may be, the Commission had earlier disposed a Complaint from the Appellant relating to RTI Application about delay in settlement of pension of her

deceased husband. Only after the Commission's order, the matter was expedited and the Appellant today informed during hearing that her pension case was settled. It appears that the husband of the Appellant died while in service in the TSECL(Power Department) way back in 2011 and she had filed application for employment under Die-in-harness scheme of the Government within one year after his death. It is sad to note that the said application for job as a case of Die-in-harness was pending for more than 4(four) years. The Commission expects the TSECL and the CMD, TSECL to expedite the case of die-in-harness employment for disposal as per Rules within one month from the date of this order.

7. With the above orders, the Appeal stands disposed of.

8. Let copy of this order be sent to the Appellant and the Respondents free of cost.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

22/9/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-34 of 2016-17 Dated: 22.9.2016

Copy to:

1. Smti. Shrimati Debbarma, W/o Late Khagendra Debbarma, Vill : Mayachari, PO: Ramdurlavpur, Dhalai, Tripura – 799 285.
2. The First Appellate Authority, Tripura State Electricity Corporation Ltd., Bidyut Bhawan, North Banamalipur, Agartala.
3. The Deputy General Manager, Tripura State Electricity Corporation Ltd., Bidyut Bhawan, North Banamalipur, Agartala (SPIO).

22/9/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-53 of 2016-17

Shri Pralaysaran Chakraborty, Bardowali (Near Kalyan Samiti), PO: A.D.Nagar-799 003, Agartala, West Tripura.

.....Appellant

VERSUS

The Executive Engineer, PWD(R&B), Government of Tripura, Division No.1, Netaji Chowmuhani, Agartala (SPIO)

.....Respondent

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri Kasthala Venkata Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Appellant: Shri Pralaysaran Chakraborty, the Appellant.

For the Respondent: Shri Ratan Choudhury, E.E. & SPIO.

Date of filing Appeal: 8.12.2016 which was received by the Commission on 15.12.2016.

Date of hearing: 21.1.2017

Date of judgment and order: 21.1.2017

ORDER

Shri Pralaysaran Chakraborty, the Appellant, filed application for information under RTI Act with the Executive Engineer, PWD(R&B) Division No.1 Government of Tripura on 7.6.201. He sought the certified copy of the Agreement of the Flyover Construction work in Agartala which is handled by the R & B Wing of the State Public Works Department. The SPIO vide letter dated 16.6.2016 asked the information seeker to deposit an amount of Rs.10,000/- which apparently is the price charged when the agreement was entered into from the contractor. However, the letter

asking for deposit of Rs.10,000/- was not in proper format in Form-11 of the RTI Rules, 2008. Since a whole sum amount was asked, the information seeker deposited the amount on 1.7.2016 and thereafter 922 pages which were printed both side of a page were supplied to the information seeker on 11.7.2016. After the information is supplied, the information seeker filed the first appeal with the First Appellate Authority who is the Superintending Engineer, 2nd Circle, PWD(R&B) on 8.8.2016 *inter alia* claiming refund of the excess amount so charged by the SPIO. The FAA disposed of the matter on 9.9.2016 directing the SPIO to charge @ Rs.2/- per page and to return the balance amount to the information seeker/Appellant, Shri Pralaysaran Chakraborty. The SPIO instead of refunding the amount asked the Appellant to receive the cheque for Rs.8156/- from office.

2. Aggrieved by the order of the FAA, the Appellant approached this Commission by filing the second appeal on 8.12.2016. The Commission having been satisfied that there are good grounds had entertained it and posted the matter for hearing on 21.1.2017 duly issuing summons to the Respondent and notice to the Appellant for their appearance at the hearing.

3. At the hearing today, Shri Pralaysaran Chakraborty, the Appellant was present. From the Respondent side, Shri Ratan Choudhury, Executive Engineer, PWD(R&B) Division No.1 was present.

4. Both parties were heard. The SPIO claimed that since it is a priced document, he had asked for deposit of Rs.10,000/- which was charged from the contractor after entering into the agreement taking shelter under Section 15(f) of the RTI Act. He also claimed that that subsequent to the order of the FAA, he had calculated the amount to be charged as Rs.1844/- @ Rs.2/- per page for 922 pages and drawn a Treasury cheque for an amount of Rs.8156/- in favour of the Appellant and asked him to collect the cheque. The Appellant, however, had not collected the cheque from the office of the SPIO.

5. The Appellant during oral hearing contended that Rule 7 of the RTI Rules, 2008 has mentioned Rs.2/- per page (per impression) in A3/A4 size paper and the Rule has prescribed for the actual cost price for a larger size paper and since the A4 paper printing/photocopying in the open market will not cost Rs.2/- per page, the actual cost should be charged. He also stated that since information was printed on both side of paper, both side put together to read as one page since it is on one leaf. He further contended that the cheque was not sent to him but he was asked to collect. In sum and substance, the Appellant Shri Chakraborty claimed that he should be compensated for the excess amount charged from him and also for the detriment including mental agony caused to him for so many months.

6. The Commission has carefully considered the submissions of the Appellant and the Respondent SPIO and passed the following orders:-

i) The SPIO had wrongly interpreted and charged Rs.10,000/- which in any case was overturned by the FAA. Rs.10,000/- charged from the contractor after entering into the contract. The information seeker has only asked copy of the document which should have been supplied by charging the prescribed rate as per Rule 7 of the RTI Rules in the first place as the information seeker is not entering into agreement for the said work.

ii) Further, the SPIO could have informed the additional fees in proper format prescribed under the RTI Rules in Form-11 which clearly specified the number of pages and the rate per page. Even if he had not used the proper format, the contents are to be there and per page cost should have been intimated to the Appellant but the SPIO had failed to do.

iii) Even when the FAA had ordered refund of the excess amount, the SPIO had not sent the cheque and expected the Appellant to come and collect it in person which is not warranted. This has caused delay in releasing the amount to the Appellant as he had not collected the same and it is not obligatory on the part of the Appellant to collect the cheque in person.

iv) The Commission is not convinced with the arguments of the Appellant that the amount should be charged per leaf as per stipulation under Rule 7(b). The rate was clearly mentioned as Rs.2/- per page (per impression) ofA4/A3 size paper. When the Rules have prescribed a particular fees, it is not for the Commission to interpret it otherwise it as it leaves no scope for any other interpretation other than what is prescribed there as the minimum amount to be charged per page (impression). The charging of Rs.2/- per page (per impression) in A4/A3 size paper is in accordance with the Rules.

v) As to the claim for compensation by the Appellant, the Commission considered the facts and it is found that the information had in fact been supplied though after charging excess amount. Since there is no detriment caused as information was already supplied, there is no reason to quantify the detriment. However, since the excess amount which was to be returned to the Appellant based on the orders of the FAA was remaining with the SPIO, the Appellant did suffer loss of interest on the excess amount. The Commission directs the public authority to pay simple interest @7% per annum on the excess amount of Rs.8156/- from the date of deposit of the money i.e. 1.7.2016 onwards u/s 19(8)(b) of the RTI Act.

vi) The Commission further directs that the cheque for Rs.8156/- should be sent by Registered post to the Appellant within 3(three) days and the

interest till the date of sending Rs.8156/- @ 7% should be sent by a separate cheque which should be sent to the Appellant within another 15 days. The Commission is giving this time because the SPIO has to take sanction for the payment of interest from his authorities.

vii) With the above orders, the case is disposed of.

viii) Let copy of this order be sent to the Appellant and the Respondent.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

21/1/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-53 of 2016-17/1484-85 Dated: 21.1.2017

Copy to:

1. Shri Pralaysaran Chakraborty, Bardowali (Near Kalyan Samiti), PO: A.D.Nagar-799 003, Agartala, West Tripura.

2. The Executive Engineer, PWD(R&B), Government of Tripura, Division No.1, Netaji Chowmuhani, Agartala (SPIO)

21/1/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-50 of 2016-17

1. Md. Harun, S/o Moulana Haji Abdur Rahim, Safrikandi, Baburbazar, Unakoti, Tripura, Pin-799 281.

.....Appellant

VERSUS

1. The Teacher-in-Charge, Tilabazar H.S. Fazli +2 Stage Madrassa, Kailashahar, Unakoti, Tripura (SPIO).

.....Respondent

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Appellant: Md. Harun, the Appellant.

For the Respondent: Syed Harun al Rashid

Date of filing appeal: 23.11.2016 and received by the Commission on 29.11.2016

Date of hearing: 30.1.2017

Date of judgment and order: 30.1.2017

ORDER

The Appellant, Md. Harun filed an RTI Application before the Headmaster, Tilabazar H/S Fazil +2 Madrassa, Kailashahar. The Teacher in-charge of the Madrassa asked Md. Harun, the Appellant by his letter dated 21.10.2016 to receive the information. But the Appellant stated that he had received the said letter on 4.11.2016 and had contacted the SPIO (Teacher in-charge). The SPIO and Teacher in-charge stated that though he had kept the information ready, Md. Harun, the

Appellant, did not attend and take the information. The Appellant also filed the first appeal before the Deputy Director of School Education and the Deputy Director vide his letter dated 12.9.2016 directed the Teacher in-charge to furnish all information. But the information was not collected by Md. Harun and instead he chose to file the second appeal before the Commission.

2. The Appeal was admitted and posted today, the 30th January, 2017 for hearing. During hearing, the Appellant Md. Harun was present. The Teacher in-charge and the SPIO was also present. He also filed a written representation which was received by the Commission on 27.1.2017. He stated that the information was ready but the Appellant had not come to collect though he contacted him again. He also stated that some information relating to item no. 2 and 3 are outside his jurisdiction. He stated that the shops for which the information was asked in item no 2 and 3 are of the Madrassa but they are managed by the Managing Committee.

3. After hearing the Appellant and the Teacher in-charge and the SPIO, the Commission issued the following directions:-

i) Item no.1 relating to copy of Cash Book from 2007 to 31.6.2016, the Commission does not find any public interest warranting disclosure of this voluminous information. The query is not specific as he asked the entire cash book register for almost 10(ten) years and hence the Commission did not agree for disclosure of this information. However, if any specific information is required, the Appellant can file separate RTI Application for information.

ii) Item no. 4 & 5 relate to stipend holders and details of the fund of coaching centre. The Commission directs that the fund received from the concerned Higher authority along with sanction letter should be supplied.

iii) For item no. 2 & 3, the Teacher in-charge did agree that Shops are of the Madrassa and management is done by the Management Committee. Since the Management Committee is concerned with management of the property, but ownership is with the Madrassa. This information should be collected and given to the Appellant. The Managing Committee is also directed to cooperate with the Teacher in-charge and provide this information to the SPIO to supply to the Appellant as there is public interest involved.

4. Since the RTI Application was filed on 23.7.2016 and the reply asking him to collect the information was given only on 21.10.2016 beyond the period of 30 days, the above information as ordered by the Commission should be given free of cost to the Appellant within 15 (fifteen) days from the date of this order.

5. With the above orders, the Appeal stands disposed of.

6. Let copy of this order be sent to the Appellant and the Respondent.

Sd/-
(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

30/1/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-50 of 2016-17/ 1525-26 Dated : 30.1.2017

Copy to:

1. Md. Harun, S/o Moulana Haji Abdur Rahim, Safrikandi, Baburbazar, Unakoti, Tripura, Pin-799 281.

2. The Teacher-in-Charge, Tilabazar H.S. Fazli +2 Stage Madrassa, Kailashahar, Unakoti, Tripura (SPIO).

30/1/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 59 of 2016-17

Shri Hemanta Reang, S/o Ranamata Reang, Vill : Mashuraipara, PO: Kamalacherra, Dhalai, Tripura.

.....Appellant

VERSUS

1. The District Forest Officer, Dhalai, Ambassa, Tripura (FAA).
2. The Sub-divisional Forest Officer, Ambassa Forest Sub-Division, Dhalai, Ambassa, Tripura (SPIO).

.....Respondents

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Appellant : Shri Hemanta Reang, the Appellant
For the Respondent : Shri Mahendra Singh, DFO & FAA
Shri Jash Paul Debbarma, SDFO & SPIO

Date of filing Appeal : 1.1.2017
Date of Hearing : 31.1.2017
Date of Judgment and Order: 31.1.2017

ORDER

Shri Hemanta Reang, the Appellant, filed an RTI application before the Sub-divisional Forest Officer, SDFO, Ambassa, Dhalai who is the SPIO on 17.10.2016 seeking physical inspection of timber logs seized by the Forest Department officials from his jote land. To this, the SPIO replied on 16.11.2016 stating that the information seeker may visit the logs lying in Mashuraipara at any time and take photographs. This reply was sent by the SPIO within the stipulated period of 30 days. But the information seeker averred that he did not find the seized logs in his Jote land in Mashuraipara and filed the first appeal before the First Appellate Authority (FAA). The FAA vide his order dated 26.12.2016 dismissed the appeal as the petitioner could not submit details of the timber logs allegedly seized by the Forest Department officials. Apparently, he relied on the contention of the SPIO that there was no

seizure of logs but only verification of the timber was carried for the purpose of calculation of 25% royalty but the timber were not under custody of the Forest Department. Aggrieved by the order of the FAA, Shri Hemanta Reang, the information seeker and Appellant, filed the second appeal before the Commission which was admitted and the matter was heard on 30.1.2017.

2. In a nutshell, it appears that the Appellant and some other Jotedars have cut some trees in their private land in 2015 and they were not allowed to remove the logs. The matter was carried in Writ Petition to the Hon'ble High Court and the Hon'ble High Court finally disposed of the case asking the Forest Department to recover 25% royalties inasmuch as in terms of Para-8.2(A) of the guidelines and complete the process within a period of 6(six) weeks. The order of the High Court was pronounced on 30.9.2015. Accordingly, Forest authorities reportedly conducted physical verification of the logs lying in the Jote lands of the petitioner in the above Writ Petition No.374/2014 for determination of the 25% royalty.

3. The SPIO and FAA attended the hearing today and pleaded that there was no seizure by Forest Department in the first place but physical verification only was done and allowed the logs to remain on the field of the Jotedar himself. Since the process has to be completed within a period of six weeks as per order of the Hon'ble High Court, they have done their part of the job. But the Appellant in this case from time to time, sought time and did not pay 25% royalty. Shri Sanjit Debbarma assisting Shri Hemanta Reang, the Appellant, in the hearing stated that they wanted physical inspection of the seized logs under RTI Act by filing RTI Application but when they visited the site as per direction of the SPIO in reply to the RTI Application, no logs were fund. Since the Forest Department has seized these logs as evidenced by their reply dated 14.12.2015 for an earlier RTI Application dated 28.11.2015. The Commission perused the copy of the list given and from the record of the SPIO, the photocopy of which were given to the information seeker in reply to that RTI Application, it indicates the list of logs on the land of the information seeker which does not indicate whether the logs were seized. The SPIO claimed that this was a physical verification to implement the decision of the Hon'ble High Court and not a seizure.

4. After hearing both the parties, the Commission gives the following directions:-

i) The SPIO should once again clearly reply whether there was any seizure of the logs/timbers of the Appellant and if there was no seizure of the logs but only physical verification as claimed by him, he should specifically say so after going through his records within a week. This should suffice as reply to the instant RTI Application.

ii) Be that as it may be, now the logs are claimed to be not available by the Appellant and despite knowing this, the Forest officials have not bothered to check and verify whether logs were available in the Jote land or not. Even if there was no seizure as stated by them, Forest officials have to take note of missing logs in the Appellant's land as the logs should not have been allowed to be taken without payment of 25% royalty. In addition to the Appellant, there were 14 other Petitioners in the said Writ Petition of which SDFO and DFO informed during hearing that only one has paid 25% royalty. In spite of the claim of the Appellant about missing logs, the SPIO/FAA only took the view that the logs were not seized but did not verify as to whether the missing of logs is a fact or not. No attempt was made to ascertain the facts of the case or about realization of royalty.

5. Since the matter has come to light of the Information Commission, this issue is being referred to the Forest Department for looking into the matter and take necessary action as deemed fit.

6. Copy of this order be sent to the Appellant, the Respondents SPIO and FAA and also to the PCCF, Tripura and Secretary in-charge of the Forest Department for appropriate action.

7. With this order, the Appeal stands disposed of.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

31/1/2017

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 59 of 2016-17/1533-37 Dated : 31.1.2017

Copy to:

1. Shri Hemanta Reang, S/o Ranamata Reang, Vill : Mashuraipara, PO: Kamalacherra, Dhalai, Tripura.
2. The District Forest Officer, Dhalai, Ambassa, Tripura (FAA).
3. The Sub-divisional Forest Officer, Ambassa Forest Sub-Division, Dhalai, Ambassa, Tripura (SPIO).
4. The PCCF, Aranya Bhawan, Gurkhabasti, Agartala.
5. The Secretary, In-charge of Forest Department, Government of Tripura, Capital Complex, Agartala-799 006.

31/1/2017

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 60 & 65 of 2016-17

1. Shri Khadaram Reang, S/o Late Jashmagan Reang, Village: Masuraipara, PS: Ambassa, PO: Kamalacherra, Dhalai district, Tripura-799 289.
2. Shri Rejadhan Reang, S/o Late Jayanthunga Reang, Village: Masuraipara, PO: Kamalacherra, PS: Ambassa, Dhalai district, Tripura-799 289.

.....Appellants

VERSUS

1. The District Forest Officer, Dhalai, Ambassa, Tripura (FAA).
2. The Sub-divisional Forest Officer, Ambassa Forest Sub-Division, Dhalai, Ambassa, Tripura (SPIO).

.....Respondents

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Appellants	:	Shri Anthony Debbarma for the Appellants
For the Respondent	:	Shri Jash Paul Debbarma, SDFO & SPIO
Date of filing Appeal	:	13.1.2017 & 31.1.2017 respectively
Date of Hearing	:	20.2.2017
Date of Judgment and Order:		20.2.2017

ORDER

The Appellants filed RTI Applications before the Sub-divisional Forest Officer, SDFO, Ambassa, Dhalai who is the SPIO on 17.10.2016 seeking physical inspection of timber logs seized by the Forest Department officials from their Joteland. The SPIO had allowed them to see the logs lying and take photographs. The information seekers apparently went and found that the logs were not existing there. They filed the Appeals before the Tripura Information Commission. The Appeals were admitted and registered as Appeal No.TIC-60 and TIC-65 of 2016-17 respective and posted for hearing today, the 20th February, 2017 at 11.30 AM.

2. Since the grounds set forth in the above appeals pertained to similar issues, the cases are clubbed together for ease of convenience and a common order is passed.

2. Shri Anthony Debbarma representing the Appellants was present and Shri Jash Paul Debbarma, SDFO and SPIO was also present. A similar case was disposed of in the matter in Appeal No.TIC-59 of 2016-17 between Shri Hemanta Reang Vs SDFO, Ambassa (SPIO) on 31.1.2017.

3. During the hearing today, the representative of the information seekers submitted that the Forest Department had in fact seized the timber logs and issued notice for payment of royalty like in the earlier case of Shri Hemanta Reang. The SPIO had allowed physical inspection of the logs by the Complainant in response to the RTI Application but when the Complainant went to the site, he did not find the seized longs. The SDFO submitted that the Department did not make any seizure of the logs in the above cases. Only physical verification of logs was done and allowed the logs to remain in the field of the Jotedars. The information seekers, however, have not paid the royalty. Since the Forest Department has not effected any seizure, it is not the responsibility of the Forest Department.

4. The Commission had, while disposing the similar case in TIC-59 of 2016-17, issued specific directions and the same decisions would apply in the present cases also and accordingly passes the following directions:-

i) The SPIO should clearly reply to the information seekers about the non seizure of the logs after making sure of this fact from his records within one week. This direction should suffice in so far as the RTI Applications I are concerned.

ii) It appears that the logs were felled without permission of the Forest Department. The Forest Department did not seize the logs. But the logs were physically verified only and allowed to remain in the land of the Jotedars for a long time. Now, it is seen from the facts stated by the representative of the Appellants as well as the SPIO that the logs are not in fact available on the lands of the Jotedars. Even if there is no seizure as stated by the SDFO, it is the responsibility of the Forest Department to take note of the missing logs from the Jotelands as the logs have been felled illegally without payment of 25% royalty. Now, the logs have reportedly disappeared and the Forest Department had lost 25% royalty to be collected. The SDFO/SPIO submitted that his subordinate officials have stated that the logs may have been burnt by fire. This appears to be unbelievable statement as it cannot happen for the logs in the lands of several Jotedars. The Commission brings it to the notice of the Secretary, in charge of the Forest Department as well as the PCCF to take note of the facts of the case for taking appropriate action in the interest of forest as well as revenue.

5. With the above directions, the Appeals stand disposed of.

6. Let copy of this order be sent to the Appellants and the Respondents and also to the Secretary, in charge of the Forest Department, Government of Tripura as well as the PCCF, Tripura for appropriate action.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

20/2/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 60 & 65 of 2016-17/1650-55 Dated: 20.2.2017

Copy to:

1. Shri Khadaram Reang, S/o Late Jashmagan Reang, Village: Masuraipara, PS: Ambassa, PO: Kamalacherra, Dhalai district, Tripura-799 289.
2. Shri Rejadhan Reang, S/o Late Jayanthunga Reang, Village: Masuraipara, PO: Kamalacherra, PS: Ambassa, Dhalai district, Tripura-799 289.
3. The District Forest Officer, Dhalai, Ambassa, Tripura (FAA).
4. The Sub-divisional Forest Officer, Ambassa Forest Sub-Division, Dhalai, Ambassa, Tripura (SPIO).
5. The Principal Chief Conservator of Forests, Govt. of Tripura, Aranya Bhawan, Gurkhabasti, Agartala.
6. The Secretary to the Govt. of Tripura, Forest Department, Secretariat, Agartala-799 006.

20/2/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 62 of 2016-17

1. Shri Samarendra Das, Office of the P.C.C.F. Tripura, Pt. Nehru Complex, Aranya Bhawan, Agartala-799006, West Tripura.

.....Appellant

VERSUS

1. The First Appellate Authority, GA(AR) Department, Government of Tripura, Secretariat, Capital Complex, Agartala-799 006.

2. The State Public Information Officer, GA(AR) Department, Government of Tripura, Secretariat, Capital Complex, Agartala-799 006.

.....Respondents

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri Kasthala Venkataa Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

1. For the Appellant: Shri Samarendra Das, the Appellant.
2. For the Respondents: Smti. Malina Rema, US, GA(AR) & SPIO
3. Date of filing Appeal: 13.1.2017 and received by the Commission on 18.1.2017
4. Date of Hearing: 22.2.2017
5. Date of Judgment and Order: 22.2.2017

ORDER

Brief facts of the case are that Shri Samarendra Das, the Appellant, filed an RTI Application dated 14.7.2014 before the SPIO of the GA(P&T) Department with request to supply certified copies of following documents/records:

i) Proceedings and minutes of meeting of DPC for promotion to Conservator of Forests held in June, 2014.

ii) Report of the DGP, Tripura on Vigilance Clearance and report of the GA(SA) Department thereafter.

iii) Vigilance Clearance prior promotion for the post of Secretary of Mr. L.H.Darlong, IAS. Copy of promotion to the post of Secretary.

iv) Copy of the Vigilance Clearance of Shri S.Das, IFS of Dec, 2013.
v) Copy of Notification of promotion of the CF in 2014 and allow to read only the related files.

2. Upon receipt of the RTI Application dated 14.7.2014, the SPIO of the GA(P&T) Department had supplied information against item no. (i) and (v) and transferred the application for information on 18.7.2014 u/s 6(3)(ii) to the SPIO of the GA(AR) Department for supply of information for the rest i.e. item no.(ii) to (iv) as above on the ground that they are closely related to GA(AR) Department. The SPIO of the GA(AR) Department vide letter dated 16.8.2014 intimated the information seeker that u/s 8(1)(j) and 11 of the RTI Act, the information cannot be divulged.

3. Being aggrieved, the Appellant field the second appeal before this Commission on 18.1.2017 which was admitted and posted for hearing today, the 22nd February, 2017 duly issuing summons to the Respondents and notice to the Appellant for appearance. During hearing today, the Smti. Malina Rema, Under Secretary, GA(AR) Department who is also the SPIO was present from the Respondents' side. Shri Samarendra Das, the Appellant was also present. The First Appellate Authority was not present who is apparently on leave due to illness of his wife.

4. Shri Samarendra Das, the Appellant, stated that there was a complaint against him and few others including Shri L.H.Darlong and since he was denied promotion at the material time, he would like to see the proceedings and minutes of the DPC held in June 2014 for promotion to the post of Conservator of Forests. He also wants to access the copy of the report of the DGP, Tripura on Vigilance Clearance submitted to the GA(AR) Department and other related reports and also the Vigilance clearance of Shri L.H.Darlong who was also included in the same complaint to the Police but was given the Vigilance clearance. He also asked for the Vigilance clearance of Shri S. Das i.e. the Appellant, if available, otherwise record as to why the Vigilance Clearance is not issued. He also asked for inspection of relevant documents/files and supply of aforementioned certified copies disclosing the information.

5. The SPIO of the GA(AR) Department has refused to disclose the information taking shelter under section 8(1)(j) and Section 11 of the RTI Act.

6. It is seen that Shri Samarendra Das had asked for proceedings and minutes of the DPC which is not a secret document and the report of the DGP, Tripura is pertaining to himself only and hence it does not fall u/s 8(1)(j) and if it contains any reference to any

other person, then Section 8(1)(j) is applicable in which case a third party notice should have been served. The Vigilance Clearance of Shri L.H.Darlong being a document which normally forms part of the DPC proceedings, does not fall under the provision of 8(1)(j) as it in no way affect the privacy of the third party nor does it contain any personal information. The Appellant had also asked for his own Vigilance clearance, if issued and the related records if it is not issued. He had also asked for inspection of the relevant documents/files, etc.

2. The Commission had carefully considered the arguments of the SPIO and the submissions made by the Appellant and issued the following directions:

i) The proceedings of the DPC held in June, 2014 for the post of Conservator of Forests. Copy of Notification of promotion of the post of C.F. in 2014 asked at Sl.No.(i) and (vi) have already been supplied by GA(P&T) Department and hence no further action is called for.

ii) Copy of the report of the DGP, Tripura on Vigilance Clearance, if any, submitted to the GA(AR) Department relating to Shri S. Das, the Appellant and copy of Vigilance Clearance of Shri S.Das of 2013, if issued, should be disclosed to Shri S. Das, the Appellant as these do not fall within the category of exemption u/s 8(1)(j) of the RTI Act as the information is related to the Appellant himself.

iii) As regards Vigilance Clearance of Shri L.H.Darlong, the Appellant had not indicated the year for which the Vigilance clearance is asked though it has been mentioned that it is for the post of Secretary, Selection Grade of IAS, the same should be furnished to him by SPIO of GA(P&T) Department.

iv) As the DPC for Selection Grade of IAS has nothing to do with this particular case and since it may contain the Grading of several other officers, the Commission is not issuing any direction for sharing the Selection Committee minutes for the post of Secretary in which Shri L.H. Darlong was included.

v) In so far as inspection of relevant documents, etc is concerned, the Commission finds that the request of the Appellant is not specific. Hence, Commission is not issuing any direction to allow inspection. He may file specific request about file/files or note/notes in respect of any specic matter which the SPIO should consider.

8. Since the above information relates to the GA(AR) Department and the Vigilance Clearance for the promotion to the post of Secretary in respect of Shri L.H.Darlong relates to GA(P&T) Department, the SPIOs of both the Departments should disclose the information within 15(fifteen) days from the date of this order.

9. With the above orders, the Appeal is disposed of.

10. Let copy of this order be sent to the Appellant and the Respondents. A copy should also be sent to the SPIO of GA(P&T) Department for information and necessary action.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

22/2/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC- 62 of 2016-17/1682-91 Dated: 22.2.2017

Copy to:

1. Shri Samarendra Das, Office of the P.C.C.F. Tripura, Pt. Nehru Complex, Aranya Bhawan, Agartala-799006, West Tripura.
2. The First Appellate Authority, GA(AR) Department, Government of Tripura, Secretariat, Capital Complex, Agartala-799 006.
3. The State Public Information Officer, GA(AR) Department, Government of Tripura, Secretariat, Capital Complex, Agartala-799 006.
4. The State Public Information Officer, GA(P&T) Department, Government of Tripura, Secretariat, Capital Complex, Agartala-799 006.

22/2/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-72 of 2016-17

1. Shri Krishna Kumar Rupini, S/o Late Ajit Kuamr Rupini, P.O. Manu, Dhalai, Tripura-799 275.

.....Appellant

VERSUS

1. The State Public Information Officer, O/o the Wildlife Warden, Gumti Wildlife Sanctuary, Gandacherra, Dhalai district, Tripura.

.....Respondent

In the matter of an Appeal under section 19(3) of the Right to Information Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

1. For the Appellant: Shri Krishna Kumar Rupini
2. For the Respondents: Shri Ratan Das, SPIO, Office of the Wildlife Warden, Gumtl, Gandacherra, Dhalai

3. Date of filing Appeal: 18.2.2017 and received by the Commission on the same date.

4. Date of Hearing: 27.3.2017
5. Date of Judgment and Order: 27.3.2017

ORDER

Shri Krishna Kumar Rupini, the Appellant, filed an application dated 16.11.2016 before the SPIO, Office of the Divisional Forest Officer, Gandacherra, Dhalai seeking information relating to Tree Registration Certificate and Tree Extraction Permits issued to the Jotedars by the SDFO, Gandacherra since inception of the office till 30th Octobe4r, 2016. He had also asked for copy of joint filed

verification report of standing trees of one Shri Amrit Das under the village Haripur and also TRC Map and Khatian of Shri Amrit Das along with the forwarding letter of the SDM, Gandacherra in respect of those joint field verification reports of standing trees of the Jotedars. It is transpired that the SDFO, Gandacherra is actually the Wildlife Warden of Gumti Wildlife Sanctuary, Gandacherra and he had accepted the RTI Application. He had replied to the information seeker stating that Sl/No.1 of the information about the permits to Jotedars was a third party information and rejected to disclose the information. So far as item no. 2 & 3 are concerned, the SPIO had informed that no tree extraction permit or joint filed verification of standing trees in respect of Shri Amrit Das was issued. Since Sl/No.1 is refused, Sl/No. 4 is corollary to that and hence replied in the negative. Aggrieved by this, the information seeker filed the first appeal before the First Appellate Authority (FAA) who had issued order dated 18.1.2017 to the SPIO to furnish all the information as has been sought by the information seeker under point no. 1,2,3 & 4 of the RTI Application dated 14.11.201 within 15 days free of cost. Having not received the desired information, the Appellant had approached the Commission with the second appeal on 18.2.2017. The case was admitted and posted for hearing today duly issuing summons to the SPIO and notice to the Appellant for appearance on 27.3.2017 at 11.30 AM.

2. During hearing today, Shri Krishna Kumar Rupini, the Appellant, was present who was assisted by Shri Anthony Debbarma and Shri Sanjit Debbarma. From the Respondent's side, Shri Ratan Das, SPIO, Office of the Wildlife Warden, Gumti Wildlife Sanctuary, Gandacherra, Dhalai was also present being the Respondent-SPIO.

3. It was pleaded by Shri Anthony Debbarma that they need the information as they suspect some irregularities in the issue of tree permits issued to the Jotedars and they want to unearth the irregularities. The SPIO stated that the information seeker did not ask any specific information but all the Pattas of the Jotedars since inception of the office till 30th October, 2016 and he further submitted that he did not see any outweighing public interest for disclosing the same. However, in respect of item no. 2 & 3, he stated that no tree permit was issued nor any joint filed

verification was done in respect of Shri Amrit Das which the information seeker wanted to know and since Sl/No.4 being corollary to Sl/No.1, he had not given the information.

4. The Commission had gone through the submissions of the Appellant as well as the SPIO and had found that the SPIO while rejecting the third party information, could have stated that there was no public interest which was not mentioned in the letter. However, the same was argued by the SPIO during the hearing. It is also seen that the FAA while overturning the order of the SPIO not to disclose the third party information, did not issue any hearing notice to the third party. The Commission finds that the order of the FAA suffers from infirmity on this account as the third parties should have been notified and given an opportunity.

5. Considering the facts of the case, the Commission find that the information seeker did not ask for specific information but large volume of information which the Commission find that there is no public interest to warrant disclosure. In case there is any doubt about the present case relating to Shri Amrit Das, the same was answered by the SPIO. The Commission does not find any outweighing public interest to have access to the copies of tree permits and field verification reports in respect of all the Jotedars for whom tree permits were given since inception of the office till 30th October, 2016 as the information sought was not specific. Accordingly, the Commission upholds the order of the SPIO. However, since the issue of Shri Amrit Das was raised, the Commission allows the information seeker to inspect the Register in which tree permits issued are listed and such inspection should be done on 19th April, 2017 at 11.00 AM in strict adherence to the rules, free of cost.

6. The appeal case stands disposed of in terms of the orders as aforesaid.

7. Let copy of this order be sent to the Appellant, the SPIO and also a copy should be sent to the First Appellate Authority who is the District Forest Officer, Dhalai District, Ambassa.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

27/3/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Appeal No. TIC-72 of 2016-17/1851-53 Dated : 27.3.2017

Copy to:

1. Shri Krishna Kumar Rupini, S/o Late Ajit Kuamr Rupini, P.O. Manu, Dhalai, Tripura-799 275.

2. The State Public Information Officer, O/o the Wildlife Warden, Gumti Wildlife Sanctuary, Gandacherra, Dhalai district, Tripura.

3. The District Forest Officer, Dhalai District, Ambassa, Dhalai (First Appellate Authority).

27/3/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC-06 of 2016-17

Smti Sukla Deb (Paul), W/o Shri Debasish Paul, Village: Nakful, PO: Halahali, PS: Salema, Dhalai, Tripura, Pin-799 286.

..... Complainant

V E R S U S

1. Shri Arabinda Datta, Secretary, Shakti Sangha Samajik Sangshta, Village: Nakphul, PO: Halahali, PS: Salema, Dhalai, Tripura, PIN-799 286 (SPIO).

.....Opposite party.

Date of Hearing: 21.6.2016
Date of Issue of Order: 21.6.2016

Present: **Shri K.V. Satyanarayanaa, IAS (Retd)**
State Chief Information Commissioner

1. For the Complainant: Smti. Sukla Deb (Paul).
2. For the Opposite party: Shri Arabinda Datta, Secretary.

In the matter of a Complaint under Section 18(1) of the RTI Act,2005.

ORDER

The case was filed by Smti. Sukla Deb (Paul), the Complainant. She had applied to the Secretary, Shakti Sangha Samajik Sangshta of Village Nakphul, Halahjali, Selema, Kamalpur, Dhalai on 18.3. 2016 seeking information about copies of the agenda of the meetings of the said Society held from 2008 to till date and the copies of attendance and resolution passed. The Society had not sent any reply. Smti. Sukla Deb (Paul) filed the complaint before this Commission which was

admitted and summons/notice were issued to the Respondent/Complainant for hearing today.

2. On the date of hearing i.e. 21.6.2016, Smti Sukla Deb (Paul), the Complainant was present and Shri Arabinda Datta, Secretary of the Shakti Sangha Samajik Sangshta was also present.

3. Shri Arabinda Datta, Secretary stated that their organization has been in existence since 2008 and it was registered under the Societies Registration Act, 1860. He had also informed that they are not in receipt of any fund from any government organization; it is voluntary body and not in receipt of any fund from any Government. Smti, Sukla Deb (Paul) also had admitted that she is not a member of the Sangshta but she had approached the Cooperative Department for the information. But they could not give the information and instead asked her to approach the Sangshta directly.

4. Be that as it may be, she had approached the Information Commission. The case was heard. It is clear from the status of the Society that it does not come under the definition of public authority as defined under Section 2(h) of the RTI Act, 2005. Public authority as defined in Section 2(h) is as under:

2(h) "public authority " means any authority or body or institution of self-government established or constituted-

a) By or under the Constitution;
b) By any other law made by Parliament;
c) By any other law made by State Legislature;
d) By notification issued or order made by the appropriate Government, and includes- i) body owned, controlled or substantially financed; ii) non-Government organizations substantially finance, directly or indirectly by funds provided by the appropriate Government;

5. As seen from the above, the said Sangshta is not a public authority. It is a Society not financed by the Government directly or indirectly and it is not the

creation of the Government either by State Legislature or Parliament. This is not a public authority and hence outside the purview of the RTI Act, 2005.

6. In the result, the complaint is dismissed.

7. Let copy of this order be sent to the Complainant and the Respondent free of cost.

Sd/-
(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

21/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC-06 of 2016-17 / 727-28 Dated : 21.6.2016

Copy to:

1. Smti Sukla Deb (Paul), W/o Shri Debasish Paul, Village: Nakful, PO: Halahali, PS: Salema, Dhalai, Tripura, Pin-799 286.

2. Shri Arabinda Datta, Secretary, Shakti Sangha Samajik Sangshta, Village: Nakphul, PO: Halahali, PS: Salema, Dhalai, Tripura, PIN-799 286 (SPIO).

21/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC-08 of 2016-17

Shri Sudhangshu Sarkar, C/o Shri Partha Saha, Joynagar Lane No.2, Agartala, West Tripura.
..... Complainant

VERSUS

The State Public Information Officer, Office of the Commissioner of Departmental Inquiries, Government of Tripura, Gurkhabasti, Agartala-799 006.
.....Opposite party.

Date of Hearing: 21.6.2016
Date of Issue of Order: 21.6.2016

Present: **Shri K.V. Satyanarayanaa, IAS (Retd)**
State Chief Information Commissioner

1. For the Complainant: Shri Sudhangshu Sarkar, the Complainant.
2. For the Opposite party: Shri Promode Debbarma, SPIO.

In the matter of a Complaint under Section 18(1) of the RTI Act,2005.

ORDER

The case was filed by Shri Sudhangshu Sarkar on 26.5.2016. He made an application to the Commissioner of Departmental Inquiries who is the SPIO seeking copy of the findings of the Inquiring Authority i.e. Commissioner of Departmental Inquiries along with copy of the letter by which the findings have been sent to the GA(AR) Department. The Commissioner of Departmental Inquiries has sent a letter to Shri Sudhangshu Sarkar, the Complainant, on 24.5.2016 i.e. after more than three months informing him that he should approach the GA(AR) Department for getting the information. Aggrieved by this, Shri Sudhangshu Sarkar, the information seeker filed a complaint before the Information Commission which was admitted as Complaint No.TIC-08 of 2016-17 and posted for hearing on 10.6.2016 which was subsequently deferred as the Respondent, Shri Promode Debbarma, SPIO had requested for deferring the case due to his pre-fixed programme. The

Commission acceding his request deferred the case and fixed the next date of hearing on 21.6.2016.

2. During hearing, Shri Promode Debbarma, the Commissioner of Departmental Inquiries and SPIO was present. Shri Sudhangshu Sarkar, the Complainant was also present.

3. Shri Sudhangshu Sarkar, the Complainant, sought the information as the record is available with the Commissioner of Departmental Inquiries though it was also sent to the GA(AR) Department. The Commissioner of Departmental Inquiries did agree that the record is available in his office and that he had asked the information seeker to seek the information from the GA(AR) Department.

4. The Commission has gone into the matter and found that the SPIO had taken more than three months time to inform the information seeker to approach the GA(AR) Department. Further, under Section 6(3) of the RTI Act, it is incumbent upon the public authority to transfer the application for information to the other public authority in case the information is held by other public authority and such application has to be transferred not later than five days. In this case, the SPIO neither transferred the application nor any reply given within the prescribed time. As the information seeker has already waited for about five months for this information, **the Commission directs the SPIO to supply the information to the information seeker within one week and he should supply the findings of the Inquiring Authority segregating from the Inquiry Report. Similarly, he should also give the copy of the letter by which the findings was sent to the GA(AR) Department. Needless to mention, this information should be authenticated before the supply is made.**

5. With the above directions, the Complaint case allowed.

6. Let copy of this order be sent to the Complainant and the Respondent free of cost.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

21/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC-08 of 2016-17 / 725-26 Dated : 21.6.2016

Copy to:

1. Shri Sudhangshu Sarkar, C/o Shri Partha Saha, Joynagar Lane No.2, Agartala, West Tripura.

2. The State Public Information Officer, Office of the Commissioner of Departmental Inquiries, Government of Tripura, Gurkhabasti, Agartala-799 006.

21/6/16

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION

P. N. Complex: Gorkhabasti
Agartala – 799 006

Complaint No. TIC – 07 of 2016-17

Shri Narendra Debbarma, S/o Late Anaray Debbarma, Vill - Kishorai Thakur Para, P.O. – Nalicherra, P.S. Ambassa, Dist - Dhalai, PIN – 799 289 .....Complainant

VERSUS

The Superintending Engineer, 5th Circle, PWD(R & B), Jawaharnagar, Ambassa, Dhalai, Tripura(First appellate Authority & others .....Respondents

In the matter of a Complaint under section 18(1) of the Right to Information Act, 2005.

PRESENT

Shri Kasthala Venkataa Satyanarayanaa, IAS(Retd)
State Chief Information Commissioner

For the Complainant: Shri Narendra Debbarma

For the Respondents:
1. Shri Shyamalendu Bhaumik, Supdg. Engineer, 5th Circle PWD(R & B), Jawaharnagar, Ambassa.
2. Shri Ashim Kr. Debbarma, Ex. Engineer, 5th Circle, PWD(R & B), Jawaharnagar, Ambassa(SPIO).
3. Shri Bijoy Krishna Debnath, Ex. Engineer(P), Project Circle, PWD(R & B), Agaratala(FormerSPIO).

ORDER
Dated : 28.07.2016

Shri Narendra Debbarma, S/o Late Anaray Debbarma, Vill – Kishorai Thakur Para, Ambassa filed an application for information under RTI Act with the Executive

Engineer, Office of the Superintending Engineer, 5th Circle, PWD(R & B), Jawaharnagar, Ambassa being a SPIO on 14.07.2015. The ASPIO, Office of the SPIO transferred this application on 17.07.2015 to the Executive Engineer, PWD(R & D), Ambassa for taking necessary action. The Executive Engineer, PWD(R & D), Ambassa, who is SPIO of that office wrote to Hindustan Steelworks Construction Ltd.(HSCL) which was executing construction of the road from North Nalicherra to West Nalicherra under PMGSY on 18.08.2015 for submission of detailed report. HSCL promptly replied stating that no such record is available with them. After that no reply had been sent by the SPIO to the information seeker. Aggrieved by this, he filed a complaint before the Tripura Information Commission on 16.05.2016 which was admitted as Complaint No. 07 of 2016 – 17 and Summons to the SPIO and Notice to the complainant were issued. The case was heard on 25.06.2016 and the Commission decided to issue summons to the Executive Engineer, Office of the Superintending Engineer, 5th Circle, PWD(R & B), Jawaharnagar, Ambassa to attend before the Commission on 28.07.2016 for much delay to respond the RTI application and to explain why penalty should not be imposed.

2. During the hearing Shri Ashim Kr. Debbarma, present SPIO and Shri Bijoy Krishna Debnath, former SPIO in the Office of the Superintending Engineer, 5th Circle, PWD(R & B), Jawaharnagar, Ambassa as well as Shri Shyamalendu Bhaumik, Superintending Engineer, 5th Circle, PWD(R & B), Jawaharnagar, Ambassa were present. For the complainant Shri Narendra Debbarma assisted by his son was present during the hearing.

3. The Respondent informed that reply has been sent to the information seeker on 19-07-2016 stating that the road from North Nalicherra to West Nalicherra executed under PMGSY does not pass through the jote land of Shri Narendra Debbarma, the Complainant. The complainant also admitted that he had received the letter from the respondent though a major grievance relating to status of his land being used for the construction of road was answered, SPIO did not supply compensation record and land acquisition record. In case land was acquired and compensation was paid SPIO should immediately inform after taking his record carefully. Even if no land acquired or compensation paid, this must be specifically informed to the Complainant. This reply should be sent to the Complainant within one week from date of this order.

4 Now regarding issue of inordinate delay to furnish reply to the Complainant, furnishing of information after about 11 months would not be a ground to let off the Respondents. In the light of this Commission feels that it is a fit case to impose penalty. However, there is change in the incumbency in the office of the SPIO (Executive Engineer, PWD(R&B), Ambassa Division). Shri Surjya Kr. Debbarma, former Executive Engineer (former SPIO), Office of the Superintending Engineer, 5th Circle, PWD(R & B), Jawaharnagar, Ambassa presently posted in Project Circle, Office of the Chief Engineer, PWD(R & B) and Shri Nil Kanta Chakma, Executive Engineer (former SPIO), PWD(R & B), Ambassa Division should also be asked as to why penalty under section 20(1) of the RTI Act, 2005 should not be imposed for their failure to supply information to the information seeker during their tenure. The reply should reach this Commission within one month from the date of issue of this

order. After receipt of the response or after completion of 30(thirty) days, th Commission would take a view about imposition of penalty.

5. The Secretary, Tripura Information Commission should open a new case file on imposition of penalty. The present case will stand closed with above.

6. Let copy of this order be sent to the Executive Engineer(SPIO), Office of the Superintending Engineer, 5th Circle PWD(R & B), Jawarharnagar, Ambassa and Executive Engineer, PWD(R & B), Ambassa Division and Complainant.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

29/7/16

(Dr Manas Dev)
Secretary,
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
P. N. Complex, Gorkhabasti,Agartala – 799 006

Complaint No. TIC-07 of 2016-17 / 895-900 Dated : 28.07.2016

Copy to:-

1. Shri Narendra Debbarma, S/o Late Anaray Debbarma, Vill – Kishorai Thakur Para, P.O. Nalicherra P.S. Ambassa, Dist – Dhalai, PIN – 799 289.
2. The Executive Engineer(SPIO), Office of the Superintending Engineer, 5th Circle, PWD(R&B), Jawaharnagar, Ambassa, PIN – 799 289.
3. Shri Nil Kanta Chakma, Executive Engineer(SPIO), PWD(R&B), Ambassa Division, Jawaharnagar, Ambassa, PIN – 799289.
4. Shri Shyamalendu Bhaumik, Superintending Engineer(FAA), 5th Circle, PWD(R&B), Jawaharnagar, Ambassa, PIN – 799 289.
5. Shri Surjya Kr. Debbarma, Executive Engineer, Project Circle, PWD(R & B), Capital Complex, Agartala.
6. Shri Bijoy Krishna Debnath, Executive Engineer, Project Circle, PWD(R & B), Capital Complex, Agartala.

29/7/16

(Dr Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION

P. N. Complex: Gorkhabasti
Agartala – 799 006

Complaint No. TIC – 11 of 2016-17

Shri Swapan Dey, S/o Sri Moni Lal Dey, P.O. A.D.Nagar, Charipara Road No. 14, Agartala – 799 003.....Complainant

VERSUS

The State Public Information Officer, Office of the State Health Mission, Tripura, Agartala .....Respondent

In the matter of a Complaint under section 18(1) of the Right to Information Act, 2005.

PRESENT

Shri Kasthala Venkataa Satyanarayanaa, IAS(Retd)
State Chief Information Commissioner

For the Complainant: Shri Swapan Dey, Complainant

For the Respondents:
1. Shri Sudip Deb, SPIO, O/o the Mission Director, N.H.M., Tripura.
2. Dr Babul Das, Programme Officer, NTCP, Tripura(SPIO)
3. Dr Sailesh K. Yadav, Mission Director, N.H.M., Tripura

Date of filing: 08.06.2016
Date of hearing: 06.08.2016
Date of order: 06.08.2016

ORDER
Dated : 06.08.2016

Shri Swapan Dey filed an application for information under RTI Act, 2005 on 28.04.2016 to the SPIO, Office of the Mission Director, National Health Mission, Tripura. The SPIO, Office of the Mission Director, N.H.M. transferred the application seeking

information to the Programme Officer, National Tobacco Control Programme on 28.04.2016. It is seen that the SPIO, Office of the Mission Director, N.H.M. was unaware that the Programme Officer, NTCP was notified SPIO and were sought the information as a custodian.

The Programme Officer, Office of the Mission Director, N.H.M. replied disallowing certain information and supplied some information to the SPIO, Office of the Mission Director, N.H.M., who in turn supplied to Shri Swapan Dey by forwarding information received. He had not indicated the First Appellate Authority while supplying information under his signature.

2. Due to this and aggrieved by non-supply of some information, Shri Swapan Dey filed second appeal before the Tripura Information Commission on 08.06.2016 which was admitted as complaint and posted for hearing on 30.07.2016 during which Sri Swapan Dey, Complainant alongwith his counsel Shri Samarjit Bhattacherjee, Ld. Advocate was present. Sri Sudip Deb, SPIO, Office of the Mission Director, N.H.M. was also present. On that day the case was heard. Shri Swapan Dey did not get much information due to non-disclosure of information and Shri Sudip Deb, SPIO could not give satisfactory reply for such non-disclosure. The case was postponed for further hearing on 06.08.2016. The Commission also sought the presence of the Mission Director, N.H.M., Tripura. Today i.e., on 06.08.2016the case was reheard. During hearing Dr Sailesh K. Yadav, Mission Director, N.H.M., Tripura, Dr Babul Das, Programme Officer, NTCP(SPIO) and Shri Sudip Deb, SPIO, Office of the Mission Director, N.H.M. were present from the Respondents' side. The Complainant alongwith his counsel Sri Samarjit Bhattacherjee, Ld. Advocate was present. Both the parties were heard and the Commission passed the following directions:

3. It is admitted by both the parties that for point No. 1 to 4, document sought have already been supplied.

4. In respect of point No. 5, 6 & 7 by which the Complainant wanted Recruitment Rules for the post of District Consultant, Psychologist and Social Worker under NTCP;

This was not supplied by the Programme Officer, NTCP. He told during hearing that there are separate Recruitment Rules framed for theses posts and that Following Terms of References of G.O.I., these posts have been filled up. The Terms of References inter alia included job responsibilities besides eligibility criteria. The Commission directs the SPIO of the National Tobacco Control Programme to clearly state the non framing of separate R/Rs for these posts and supply the Terms of Reference of the G.O.I. to the information seeker specially stating the above factual position.

5. By point No. 8, 9, & 10, the information seeker sought criteria for the post District Consultant, Psychologist and Social Worker under NTCP;

The Programme Officer, NTCP(SPIO) should supply the criteria followed and relevant note file.

6. Vide point No. 11, 12, & 13, the information seeker wanted distribution of marks awarded by the Interview Board against each of the posts;

The Commission directs that since the information relating to selected candidates have already been supplied, there is no requirement for supply any further information. However, any particular candidate who was not selected seeks his / her marks awarded by the Interview Board, the SPIO should consider to supply.

7. Vide point No. 14, 15 & 16, the information seeker wanted the certified copies of the criteria / file notes in terms of distribution of marks to the candidate by the board for each of the posts:

The Programme Officer, NTCP(SPIO) should supply if there is any criteria in the file.

8. Regarding point No. 17, 18 & 19, the information wanted copies of the verified roster for each of the posts:

This should be supplied by the Programme Officer, NTCP(SPIO).

9. For point No. 20, it is admitted by the Ld. Counsel of the information seeker that it is a duplication. Hence, no action is needed.

10. Vide point No. 21, 22 & 23, the information seeker wanted copies of notes / file in terms of selection for each of the posts;

This should be supplied.

11. For point No. 24, this was already replied stating that the SPIO was no recipient of said judgment. The Ld. Counsel of the information seeker stated that they do not insist on that.

12. The direction is given should be implemented by the SPIO within one week from the date of issue of this order. The counsel of the information seeker sought imposition penalty for non-supply of information. However, it is seen that the Respondents had supplied for the information and claiming of non-disclosure for some information. The Commission does not find any malafide intention Respondents. The commission is not imposing any penalty on the Respondents. The Commission advises the Respondents to be more cautious in replying to the RTI applications in future and dispose of the same within prescribed time. With this, the case is disposed of.

13. Let copy of this order be sent to the State Public Information Officer, Office of the Mission Director, N.H.M. and the Programme Officer, NTCP(SPIO) and the Complainant.

Sd/-
(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

6/8/14

(Dr Manas Dev)
Secretary,
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
P. N. Complex, Gorkhabasti, Agartala – 799 006

Complaint No. TIC-11 of 2016-17 / 921-23 Dated : 06.08.2016

Copy to:-

1. Shri Swapan Dey, S/o Shri Moni Lal Dey, P.P. A.D.Nagar, Charipara Road No. 14, near Rajib Chowmohani, Agartala – 799 003.
2. The State Public Information Officer, Office of the National Health Mission, Tripura, Palace Compound, Agartala (SPIO).
3. The Programme Officer, National Tobacco Control Programme, Tripura, Agartala (SPIO).

06/8/16

(Dr Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC-29 of 2016-17

Miss Shatabdi Baishnab, D/o Shri Swapan Kr Baishnab, Masterda Surya Sen Lane, PO: Kumarghat, Unakoti, Tripura-799 264.

.....Complainant

VERSUS

Dr. S. K. Poddar, Secretary, Tripura Board of Secondary Education, Pt. Nehru Complex, Gurkhabasti, Agartala -799 006 (SPIO).

.....Opposite party.

In the matter of a Complaint under Section 18(1) of the RTI Act,2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Complainant: Miss Shatabdi Baishnab, the Complainant.

For the Opposite party: Dr. Swapan Kr. Poddar, SPIO, TBSE

ORDER

Dated: 24.10.2016

The case was heard on 27.9.2016 and the SPIO was asked to file an Affidavit as to why the Complainant is not entitled for photocopies of evaluated answer scripts and whether the candidate (Complainant) is entitled to get copies of evaluated answer scripts by paying Rs.2/- only per page instead of Rs.500/- per answer script.

2. During hearing today i.e. 24.10.2016, Dr. Swapan Kr. Poddar, SPIO of Tripura Board of Secondary Education (TBSE) along with the Standing Counsel for the TBSE, Shri Paramartha Datta, Advocate was present. They have submitted an Affidavit stating that the Apex Court in the Case of Aditya Bandopadhyay Vs Central Board of Secondary Education has allowed inspection of answers scripts. They have also pleaded that the TBSE has prescribed the procedure for inspection of evaluated answer scripts and has set Rs.500/- per answer script and the Notification dated 15.12.2015 is in force. The Complainant's side is represented by her father, Shri Swapan Kumar Baishnab and Shri Sajal Deb. They have

pleaded that the RTI Act should take primacy and the copies should be supplied @ Rs.2/-. They have also pleaded that TBSE allows only one person to assist the candidate in case of inspection and there are different subjects like English, Mathematics, Physics, Chemistry, etc and it is not possible for one person to go through the evaluated answer scripts more so when they are not supplying the copies. They have also stated that when TBSE is ready to allow only one person to assist the candidate then it is all the more imperative for giving the copies of the evaluated answer scripts to candidate. The Standing Counsel for the TBSE submitted that they conduct examinations for more than 80,000 students for Madhyamik and Higher Secondary Examinations every year and it will be well neigh impossible to provide certified copies as per their Rules. It is also submitted that the evaluated answer scripts are retained only for a period of six months and the provisions for inspection of the evaluated answer scripts is on payment of Rs.500/- per answer script and the candidate upon such inspection can make his/her representation pointing out deficiencies, if any, to the Board and the Board is bound to examine and consider. They have further submitted that in the light of onerous responsibility of conducting the examinations within the scheduled time, the inspection as prescribed may be allowed as otherwise it will be very difficult for the Board to complete the entire process on time.

3. The Commission was seized of the matter and found that while there is no bar for giving certified copies of the examination papers as per observations of the Apex Court in Aditya Bandopadhyaya Vs CBSE & Ors if not the final decision allowing inspection in that case it was only inspection which was asked. However, taking into consideration the practical difficulties of the Board and sanctity of the process is not violated and at the same time instill confidence in the examinees to have access to the answer scripts in presence of an expert, the Commission issues the following orders:-

i) The evaluated answer scripts should be allowed to be inspected by the candidate upon payment of Rs.500/- per answer script as when a particular fees is set by an organization, it cannot be violated by payment of Rs.2/- per page. The RTI prescribed Rs.2/- per page should apply in such cases where there is no such fees prescribed by the public authorities. In the light of this inspection for evaluated answer script should be allowed on payment of the prescribed fees of Rs.500/-. Since this case is pending before the Commission for decision, the TBSE should allow the inspection upon payment of Rs.500/- per answer script provided the Complainant applies for such inspection within 10(ten) days from the date of this order.

ii) Taking into account the humongous task of conducting the entire examinations by the TBSE, the Commission agrees that it meets ends of justice if inspection of the answer scripts is allowed. However, to be fair to the candidate, the TBSE should allow for each subject separate expert to be present to assist the candidate in case the candidate chooses and give reasonable time for going through the papers and make notes so that the candidate may make representation, if any, to the Board.

iii) It may so happen that such inspection may spread over more than one day based on number of papers for which the candidate seeks for inspection.

iv) The candidate should be allowed to make notes based on the inspection of the evaluated answer scripts without any hindrance.

v) The Opposite party has stated that the period of six months of the examination is over and they are in the process of destroying the evaluated answer scripts. However, for ensuring ends of justice, the evaluated answer scripts of Smti. Shatabdi Baishnab, the Complainant, should not be destroyed till the inspection is completed within the next 45 days before which the inspection should be completed in 30 days and the observation or representation if any, made by the candidate should be examined and decision taken by the TBSE before expiry of 45 days.

4. With the above orders the Complaint case stands disposed of.

5. Let copy of this order be sent to the Complainant and the Opposite party free of cost.

Sd/-

(Kasthala Venkata Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:
24/10/16
(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
Pt. Nehru Complex, Gurkhabasti
Agartala – 799 006

Complaint No. TIC-29 of 2016-17/1193-96 Dated : 24.10.2016

Miss Shatabdi Baishnab, D/o Shri Swapan Kr Baishnab, Masterda Surya Sen Lane, PO: Kumarghat, Unakoti, Tripura-799 264.

Dr. S. K. Poddar, Secretary, Tripura Board of Secondary Education, Pt. Nehru Complex, Gurkhabasti, Agartala -799 006 (SPIO).

24/10/16
(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
P. N. Complex: Gorkhabasti
Agartala – 799 006
Complaint No. TIC – 22 of 2016 -17

Shri Subash Ch Paul, S/o Shri Satish Ch. Paul, Jagaharimura, Near Gourabari Road, PO: Agartala College, Agartala-799 004.

.....Complainant

Vs

1. The Sub-divisional Magistrate, Jampuijala Sub-division, Jampuijala, Sepahijala District, Tripura (SPIO).
2. The State Public Information Officer, Directorate of Food, Civil Supplies & Consumer Affairs, Government of Tripura, Gurkhabasti, Agartala.

.....Opposite parties

In the matter of a Complaint under Section 18(1) of Right to Information Act, 2005.

PRESENT

Shri K.V.Satyanarayanaa, IAS (Retd)
State Chief Information Commissioner

For the Complainant: Shri Dulal Ch. Saha, Advocate for the Complainant
For the Opposite party: Shri D. Chakraborty, Jt. Director, Food & SPIO
Shri L. Darlong, SDM, Jampuijala & SPIO

ORDER

Dated : 28.1.2017

This case was heard on 28.10.2016 and the Ld. Counsel appearing for the Appellant pleaded for time to argue about the disclosure of the statement of assets and liabilities of a Government employee. Accordingly, the Ld. Counsel was given time to make his submission about the disclosure of the statement of assets and liabilities of a Government employee. As such, the date was fixed on 5.12.2016 and on that date, the Ld. Counsel filed a written representation praying for adjournment of the hearing and requested for fixing another date preferably on a Saturday.

Accordingly, the case was fixed today, 28th of January, 2017 being the Saturday, for submission by the Ld. Counsel for the Appellant.

2. The case was taken up for hearing as scheduled. From the Opposite party, Shri D.Chakraborty, SPIO of the Directorate of Food, Civil Supplies & Consumer Affairs, Government of Tripura, and Shri L. Darlong, SDM, Jampuijala & SPIO were present. For the Complainant, Shri Dulal Ch. Saha, Advocate was present.

3. The Ld. Counsel appearing for the Complainant stated that under CCS(CCA) Rules u/s 18(1)(ii) every Government servant belonging to any service or holding any post included in Group- A and Group- B shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other persons. Sub-Rule (ii) of the said section also makes it obligatory on the part of the Government servant not to acquire or dispose of any such property except with the previous knowledge of the prescribed authority or previous sanction of the prescribed authority shall be obtained if any such transaction is with a person having official dealings with him. The Ld. Counsel stated that CCS(CCA) Rules were adopted by the State Government. He also drawn the attention of the Commission during hearing to a Office Memorandum dated 23.9.2013 which mandates the Immovable Property Returns (IPRs) by the officers of Group-A Central Services for each year be placed in the public domain by 31st March every year. He also drawn the attention of Office Memorandum dated 11.9.2012 of the GoI, DoPT which has asked the public authorities to take steps to provide important information suo mou to the public at regular intervals including internet about official tours of Ministers and other officials. The said Memorandum has advised that such information should be disclosed as proactive disclosure u/s 4 of the RTI Act. Details of foreign and domestic tours undertaken by the Ministers and officers of the rank of Joint Secretary to GoI and above and Heads of Departments since 1st January, 2012 and that this disclosure may be updated once every quarter.

4. The SPIO from the Food, Civil Supplies & Consumer Affairs Directorate has stated that the statements of assets and liabilities of an employee are personal information and that he had issued third party notice and the third party denied to disclose the information. The SPIO concluded that there is no larger public interest warranting the disclosure of the information. He had produced a decision of the Hon'ble Central Information Commission in P.P. Rajeev Vs Cochin Port Trust dated 22.2.2010 and also an order of the Hon'ble Supreme Court of India in SLP(C) No.27734 of 2012. He stated that in the SLP, the decision of the CIC denying this information being personal information was upheld.

5. After hearing both the parties, the Commission considered the case on merits. It is seen that except the statement of property return from 2012-15 of Shri Anirudh Bhattacharjee, all other information had already been supplied and the orders of the Commission have been complied with by the concerned SPIOs. In so far as the statement of assets and liabilities is concerned, the Ld. Counsel had drawn the attention to Rule 18(ii) of the CCS(CCA) Rules which mandates filing of property return by the Government servant every year. It is not disputed that a Government servant has to submit statement of his/her property return but what is material in this particular case is whether the same should be disclosed to the Complainant. The Ld. Counsel had also produced two Office Memoranda – one dealing with the placing of property return on the public domain in respect of Group-A & B Services of Central Government and the other dealing with disclosure of domestic and foreign travel of the Ministers and Government servants. It is seen that the said Memoranda were for the Central Government employees and unless the State adopts to place it on the public domain, one cannot direct to place it on the public domain. However, needless to mention that in case there is a larger public interest, then the statement of property returns could be supplied by the SPIO or can be ordered by the Commission in an appeal or complaint before it. In this particular case there is no denying that fact that the property return comes under the personal information and the Ld. Counsel for the Complainant had not established by any stretch of imagination that larger public interest is going to be served except stating that his client has apprehension that Shri Anirudh Bhattacharjee might have acquired huge

property. Mere apprehension cannot be a ground for invasion of privacy of an individual or disclose personal information. Hence, the Commission is not satisfied that there is any public interest and upholds the order of the SPIO dated 25.10.2016 denying the disclosure of statement of property returns in respect of Shri Anirudh Bhattacharjee. However, as regard domestic and foreign tours are concerned, the Commission has already, in its earlier order, denied for disclosure of this information as it is between the employer and the employee u/s 8(1)(e). However, the Ld. Counsel today during hearing had produced copy of an Office Memorandum in which Government of India stated that domestic and foreign tours including expenses incurred, etc have to be pro-actively disclosed u/s 4 of the RTI Act. A careful reading of this Memorandum shows that it is only in respect of Heads of Departments and officers of the rank of Joint Secretary to the GoI and above as well as Ministers. In any case, this is not a Circular issued by the State Government either. In this particular case, the officer involved is not of that rank and tours are domestic within a small territorial area. The Commission has already passed its order upholding the order given by the SPIO for non-disclosure of this information and there are no reasons to further interfere with the order already passed in this case.

6. With the above orders, the Complaint case stands disposed of.

7. Let copy of this order be sent to the Complainant and the Opposite parties.

Sd/-

(Kasthala Venkataa Satyanarayanaa)
State Chief Information Commissioner

Authenticated by:

25/11/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission

TRIPURA INFORMATION COMMISSION
P. N. Complex: Gorkhabasti
Agartala – 799 006
Complaint No. TIC – 22 of 2016 -17/ 1519 - 21 Dated: 28.1.2017

Copy to:

1. Shri Subash Ch Paul, S/o Shri Satish Ch. Paul, Jagaharimura, Near Gourabari Road, PO: Agartala College, Agartala-799 004.
2. The Sub-divisional Magistrate, Jampuijala Sub-division, Jampuijala, Sepahijala District, Tripura (SPIO).
3. The State Public Information Officer, Directorate of Food, Civil Supplies & Consumer Affairs, Government of Tripura, Gurkhabasti, Agartala.

28/1/17

(Dr. Manas Dev)
Secretary
Tripura Information Commission