



TRIPURA INFORMATION COMMISSION
P.N.Complex: Gorkhabasti ; Agartala

Complaint No. TIC – 55 of 2008-09

Sri Kripesh Ghosh
S/O Sri Krishna Ghosh
Vill & P.O.- Ambassa
Dhalai District.....Complainant

Vs.

Dr. Sanjoy Biswas, District Family Welfare Officer in the office of Chief Medical Officer, Dhalai District, Ambassa, Dhalai (State Public Information Officer).....Opposite Party

ORDER
Dated, 20.04.2009

Complainant Sri Kripesh Ghosh is absent without any step despite notice.

2. OP Dr. Sanjoy Biswas, District Family Welfare Officer in the office of Chief Medical Officer (CMO), Dhalai District, Ambassa, Dhalai and the SPIO appeared and submitted a written representation and an additional written representation. Heard oral submission made by him.

3. We have perused the written request dated 13.01.2009 seeking information under the RTI Act, 2005 (for short the Act) and the written complaint dated 18.03.2009 of the complainant received by this Commission on 27.03.2009. We have also considered the written representation and the additional written representation of the OP and oral submission placed by him. Facts leading to this complaint are that the complainant submitted a written request on 13.01.2009 to the OP being the SPIO in the office of the CMO, Dhalai District seeking information. Thereafter, the OP approached in writing the SPIO of the Health & Family Welfare Department, Government of Tripura with intimation to the complainant. But, till this date, the OP did not receive any response from the SPIO of the Health & Family Welfare Department, Government of Tripura, for which he could not provide the information to the complainant.

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4. The complainant under his written request dated 13.01.2009 sought for information, namely, the list of candidates for GNM training recently and tabulation sheet of Dhalai District and bio-data of the selected candidates. From the description of the information sought for, it is rather not clear if the complainant sought for the information for the whole State of Tripura or only for the Dhalai District. So, it was incumbent upon the OP being the SPIO to get the particulars of the information sought for clarified by the requester i.e. the complainant. After making due enquiry, it is learnt that there was no officer, namely, the SPIO in the Health & Family Welfare Department, Government of Tripura to whom the OP approached for the materials of the information to be provided to the complainant. In fact, the information sought for by the complainant are pertained to the Directorate of Health Services, Government of Tripura. OP should have sought necessary assistance of the Director of Health Services, Government of Tripura being the head of the public authority to have the materials pertaining to the information sought for onward transmission to the complainant being the requester. Thus, we are of the view that the steps taken by the OP being the SPIO were wide and erroneous.

5. In fine, the complaint is disposed of with the direction to the OP Dr. Sanjoy Biswas, District Family Welfare Officer in the office of the CMO, Dhalai District, Ambassa, Dhalai and the SPIO, firstly, to have clarification of the particulars of the information sought for by the complainant and secondly, to collect the information from the Director of Health Services, Government of Tripura and thereafter to provide the required information to the complainant in adherence to the relevant provisions of the Act. The whole process should be completed within a period of 30 days from the date of passing of this order.

6. The Director of Health Services, Government of Tripura being the head of the public authority is also directed to ensure that the required materials, pertaining to the information sought for are made available to the OP being the SPIO in the office of the CMO, Dhalai District, Ambassa for disclosure to the complainant within the time specified by this Commission.

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7. Let copy of this order be sent to the complainant and the OP. Also send a copy of this order to the Director of Health Services, Government of Tripura, Agartala.

8. Pronounced.

Sd/- (D.K.Daschoudhuri) State Information Commissioner
Sd/- (B.K.Chakraborty) State Chief Information Commissioner

No. 365-67

Dated, 20.04.2009

Copy to:-

1. Sri Kripesh Ghosh, S/O Sri Krishna Ghosh, Vill & P.O.- Ambassa, Dhalai District (Complainant).
2. Dr. Sanjoy Biswas, District Family Welfare Officer in the office of Chief Medical Officer, Dhalai District, Ambassa, Dhalai (State Public Information Officer)- OP.
3. Dr. S. Debbarma, Director of Health Services, Government of Tripura, Agartala (Head of the Public Authority).

S.C.Saha
(S.C.Saha)
Secretary
Tripura Information Commission