



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

Complaint No. TIC – 51 of 2009-10

Smt. Monorama Bhattacharjee
W/O Sri Nandan Bhattacharjee
P.O.- Kamalpur : Vill- Kamalpur Sub-Jail Road
Kamalpur, Dhalai, Tripura

.....Complainant

Vs

1. Sri Apu Chanda, Inspector of Schools, Kamalpur, Dhalai, Tripura (State Public Information Officer).
2. Sri Dipak Kr. Kar, Deputy Inspector of Schools in the office of the Inspector of Schools, Kamalpur, Dhalai, Tripura (State Assistant Public Information Officer).

.....Opposite Parties

ORDER

Dated, 24.03.2010

The complainant Smt. Monorama Bhattacharjee is absent without any step despite notice sent to her in advance on 18.02.2010.

2. The Opposite Party (OP) 1 Sri Apu Chanda, Inspector of Schools, Kamalpur and the State Public Information Officer (SPIO) is absent by a petition seeking exemption from personal appearance before this Commission on 24.03.2010 on the grounds that he is the DDO of 182 schools under Salema and Ambassa Blocks and that this being the closing month of the current financial year, all bills are required to be preferred to the Sub-Treasury positively by 26.03.2010 in order to avoid lapse of fund. This prayer of the OP 1 is considered and allowed. The written representation dated 22.03.2010 of the OP 1 sent by fax and received by this Commission on the same date is put up today and attached to records. The OP 2 Sri Dipak Kr. Kar, Deputy Inspector of

Schools and the State Assistant Public Information Officer (SAPIO) in the office of the Inspector of Schools, Kamalpur is absent without any step despite summons issued to him on 18.02.2010 with the direction to appear in person and submit his written representation on the complaint.



3. Brief facts leading to this complaint are that the complainant went to the office of the Inspector of Schools, Kamalpur on 11.02.2010 to submit a written request seeking certain items of information under the RTI Act, 2005 (for short the Act), but she could not submit the same as the SAPIO in the office of the Inspector of Schools, Kamalpur though initially received but subsequently had refused to accept the said written request of the complainant, returned the same and also misbehaved with her. The complainant has, therefore, agitated that by doing so, the concerned SAPIO has contravened the provisions of section 5(2) of the Act and also deprived the complainant to exercise her right to information guaranteed by the Act. Being aggrieved with such illegal activities of the concerned SAPIO, the complainant has approached this Commission with this complaint seeking direction to be given to the Inspector of Schools, Kamalpur and the SPIO to accept her written request for information and also to allow her to have access to the information sought for. Along with the written complaint, the complainant has furnished photocopies of the relevant documents.

4. The OP 2 Sri Dipak Kr. Kar, Deputy Inspector of Schools and the SAPIO in the office of the Inspector of Schools, Kamalpur neither appeared nor made any written submission on the allegations of the complainant that he denied to accept the application for information and the application fee and also misbehaved with her. The OP 2 being the SAPIO is bound by the Act and the Tripura Right to Information Rules, 2008 (for short the Rules) to receive the application for information and the application fee, issue receipts in prescribed formats and to place the application for information before the SPIO immediately but not later than 5 days of its receipt. Since, the OP 2 did not submit any written representation in his defense despite opportunity afforded to him, it can be inferred that the allegations made against him are correct and by doing so, he has contravened the relevant provisions of the Act and the Rules for which, the OP 2 Sri Dipak Kr. Kar, Deputy Inspector of

24/2/10



Schools and the SPIO is strongly warned that he should be careful and circumspect in future and should deal with the RTI applications strictly in adherence to the relevant provisions of the Act and the Rules.

5. In his written representation dated 22.03.2010, the OP 1 has submitted that immediately on receipt of the summons of this Commission, the complainant was requested vide letter No.F.2(8-1)/IS-KMP/2005/1695 dated 20.02.2010 to place her RTI queries in writing so that the required information could be supplied to her accordingly. In response to this letter, the complainant submitted full details of the information sought for to the SPIO on 24.02.2010 after maintaining all formalities and the required information sought for by the complainant were furnished to her by the OP 1 vide his letter No.F.2(8-1)/IS-KMP/2005/2654(1) dated 20.03.2010, which were duly received by the complainant on the same date. The OP 1 is, however, silent in his written representation about the allegations made by the complainant against the SPIO in his office. The OP 1 Sri Apu Chanda, Inspector of Schools, Kamalpur and the SPIO is, therefore, directed to make immediate arrangement to put place an appropriate mechanism in his office so that the RTI applications are received, processed and disposed of henceforth strictly in compliance with the provisions of the Act and the Rules. This apart, it is not clear whether the required amount of additional fee as provided under the Rules was collected from the complainant before supply of the information. The OP 1 being the SPIO shall confirm this in writing to this Commission along with documentary proof within a period of 7 days from the date of receipt of this order.

6. Since, the complainant did not submit any written rejoinder expressing her reaction on the information provided by the SPIO on 20.03.2010, it is presumed that she is satisfied with the information provided to her and does not have any further grievances in this regard and, therefore, the matter stands closed.

7. With the above observations and the orders, the complaint stands disposed of.



8. Let copy of this order be sent to the complainant and the OPs 1 & 2:

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

No. 224-26

Dated, 24.03.2010

Copy to:-

1. Smt. Monorama Bhattacharjee, W/O Sri Nandan Bhattacharjee, P.O.- Kamalpur : Vill- Kamalpur Sub-Jail Road, Kamalpur, Dhalai, Tripura (Complainant).
2. Sri Apu Chanda, Inspector of Schools, Kamalpur, Dhalai, Tripura (State Public Information Officer) - OP 1.
3. Sri Dipak Kr. Kar, Deputy Inspector of Schools in the office of the Inspector of Schools, Kamalpur, Dhalai, Tripura (State Assistant Public Information Officer)- OP 2.

24/3/10
(S.C.Saha)
Secretary

Tripura Information Commission