



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

Complaint No. TIC – 54 of 2009-10

Sri Manojit Majumder
C/O Sri Dilip Bhowmik
Near Ramesh Chowmuni
Udaipur : South Tripura
Cell Phone No- 9612108961.....Complainant

Vs

Sri M.R.Chakma, Treasury Officer, District Treasury, South Tripura District,
Udaipur.....Opposite Party

ORDER
Dated, 03.04.2010

The complainant Sri Manojit Majumder is present.

2. The Opposite Party (OP) Sri M.R.Chakma, Treasury Officer, District Treasury, Udaipur appeared but submitted no written representation.

3. Heard oral submissions made by the complainant and the OP. Also perused the contents of the written request dated 04.02.2010 of the complainant submitted to the State Public Information Officer (SPIO) in the District Treasury, Udaipur, the written complaint dated nil of the complainant received by this Commission on 02.03.2010 and the written representation dated 03.04.2010 of the OP.

4. Brief facts leading to this complaint are that the complainant made a written request on 04.02.2010 to the SPIO in the District Treasury, Udaipur accompanied by the requisite amount of application fee of Rs. 10/- in the form of Indian Postal Order (IPO) No. 72E298806 dated 04.02.2010 seeking certain items of information under the RTI Act, 2005 (for short the Act). In response, Sri M.R. Chakma, Treasury Officer, District Treasury, Udaipur vide his letter No.F. 4(4)-

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TRY/UDP/S/ESTT/09/508-09 dated 17.02.2010 had returned the application for information for information to the complainant on the ground that the written request was sent by the complainant to a 'wrong address'. It has also been alleged by the complainant that though he received the application for information made by him back from the Treasury Officer, District Treasury, Udaipur, but no IPO was received by him along with the application nor the concerned Treasury Officer issued money receipt towards payment of the application fee. Being aggrieved with the said decision and the steps taken by the Treasury Officer, District Treasury, Udaipur, the complainant has approached this Commission with this complaint seeking direction to be issued to the Treasury Officer, District Treasury, Udaipur for allowing him to have access to the information sought for vide his written request dated 04.02.2010. Along with the written complaint, the complainant has furnished photocopies of the relevant documents.

5. The information sought for by the complainant vide his written request dated 04.02.2010 submitted to the SPIO in the District Treasury, Udaipur are summarized as below:-

- (i) Rules governing the drawal of fund through GIA (Grant in - aid) bills.
- (ii) The discretionary powers of the Treasury Officer to object or to release a bill as depicted in the Rules.
- (iii) List of the medical reimbursement bills drawn by the employees (with names) working in the office of the Treasury Officer, Udaipur during the period 2008-09 & 2009-10 with Scroll number, Bill number, Date, amount claimed and the amount settled.

6. The OP has verbally submitted that he had returned the written request in issue to the complainant because he was not designated as an SPIO by the concerned public authority and, therefore, could not attend and dispose of the said written request of the complainant. The OP has further submitted that no IPO towards payment of the application fee as claimed by the complainant was received by him and, therefore, only the written request dated 04.02.2010 was returned to the complainant. It was wrong on the part of the OP to return the written request for information to the complainant simply because of the fact that he was not a designated SPIO. It was his duty either to transfer the written request in issue to the SPIO in the office of the District Magistrate & Collector, South Tripura District

under intimation to the complainant as the District Magistrate & Collectors are the controlling authorities of the District Treasuries or to bring the matter to the notice of the Principal Secretary to the Government of Tripura, Finance Department being the head of the Public Authority through the District Magistrate & Collector, South Tripura District. But, the OP took neither of the steps. However, this Commission brought the matter to the notice of the Special Secretary to the Government of Tripura, Finance Department with the advise to designate all the Treasury Officers and the Sub-Treasury Officers to function as SPIOs within their respective territorial jurisdictions. The Special Secretary (Finance) informed that this was not done so far with the understanding that the District Magistrate & Collectors and the Sub-Divisional Magistrates will take care of the RTI matters in respect of the District Treasuries and the Sub-Treasuries respectively. He has, however, assured to designate all the Treasury Officers and the Sub-Treasury Officers as the SPIOs soon.



7. On perusal of the items of the information sought for by the complainant vide his written request dated 04.02.2010, this Commission is of the view that these are neither exempted under section 8 or 9 of the Act nor barred from disclosure otherwise. Therefore, the complainant is entitled to have access to all the items of information sought for by him.

8. In view of the facts and the circumstances stated above, the complaint stands disposed of with the following orders:-

- (i) The Principal Secretary to the Government of Tripura, Finance Department being the head of the Public Authority is requested to designate all the Treasury Officers and the Sub-Treasury Officers to function as the SPIOs within their respective territorial jurisdictions within a period of 10 days from the date of passing of this order, if not notified by this time.
- (ii) The complainant shall submit the application for information afresh to the Treasury Officer, District Treasury, Udaipur accompanied by the requisite amount of application fee since the IPO No. 72E298806 dated 04.02.2010 was not received by the OP, within a period of 10 days from the date of passing of this order.

(Handwritten signature)



- (iii) The OP Sri M.R.Chakma, Treasury Officer, District Treasury, Udaipur immediately after his designation as the SPIO by the State Finance Department shall furnish the information within a period of 20 days from the date of receipt of the fresh application for information from the complainant or the date of designation of the OP as SPIO, whichever is later.

9. Let copy of this order be sent to the complainant and the OP. Also send a copy of this order to the District Magistrate & Collector, South Tripura District and the Principal Secretary to the Government of Tripura, Finance Department being the head of the Public Authority.

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

No. 240-43

Dated, 03.04.2010

Copy to:-

1. Sri Manojit Majumder, C/O Sri Dilip Bhowmik, Near Ramesh Chowmuni, Udaipur ; South Tripura (Complainant).
2. Sri M.R.Chakma, Treasury Officer, District Treasury, South Tripura District, Udaipur – OP.
3. The District Magistrate & Collector, South Tripura District, Udaipur.
4. The Principal Secretary to the Government of Tripura, Finance Department, Capital Complex, Agartala (Head of the Public Authority).

3/4/10
(S.C.Saha)
Secretary

Tripura Information Commission