



**TRIPURA INFORMATION COMMISSION**

P.N.Complex: Gorkhabasti : Agartala

---

Complaint No. TIC – 26 of 2009-10

---

Sri Premananda Das  
S/O Late Mangala Nanda Das  
Vill : Harekholo : P.O.- Kamalpur  
District - Dhalai  
Cell Phone No- 9436667413.....Complainant

Vs.

Sri Pratap Ch. Das, Superintendent of Agriculture, Salema Agri Sub-Division,  
Salema, Kamalpur, Dhalai, Tripura (State Public Information Officer).  
.....Opposite Party

---

**ORDER**

**Dated, 18.11.2009**

The complainant Sri Premananda Das is absent without any step though he was directed vide order dated 05.11.2009 sent to him by registered post to appear before this Commission on 18.11.2009 at 11 A.M. and submit written rejoinder, if any on the additional written representation dated 04.11.2009 of the Opposite Party (OP).

2. The additional written representation dated 04.11.2009 of OP Sri Pratap Ch. Das, Superintendent of Agriculture (SA), Salema Agri Sub-Division, Salema and the State Public Information Officer (SPIO) was put up on 05.11.2009 and attached to records, copy of which was sent to the complainant along with this Commission's order dated 05.11.2009. OP Sri Pratap Ch. Das, SA, Salema Agri Sub-Division appeared and submitted another additional written representation and a written reply on the show-cause notice issued to him under section 20(1) of the RTI Act, 2005 (for short the Act) vide this Commission's order dated 24.10.2009.

3. Heard oral submission made by the OP Sri Pratap Ch. Das, SA, Salema Agri Sub-Division. Also perused the written representation, the additional written representations and



the written reply of the show-cause notice for imposition of penalty under section 20(1) of the Act submitted by the OP.

4. In his additional written representation dated 18.11.2009, the OP has stated that the summons issued by this Commission vide No- 991 dated 22.09.2009 was received by him on 26.10.2009 and, therefore, could not appear before the Commission on 24.10.2009. By an application submitted today, the OP has informed that though he has furnished almost all the information to the complainant on 11.08.2009, 01.09.2009, 31.10.2009, 06.11.2009 and 07.11.2009, but some more lists of the beneficiaries of different schemes are under collection and shall be provided to the complainant, for which he requested this Commission to allow him 30 days more beyond 22.11.2009. This prayer of the OP is considered and allowed.

5. In the written reply submitted in response to the show-cause notice issued by this Commission under section 20(1) of the Act, OP Sri Pratap Ch. Das, SA, Salema Agri Sub-Division has disclosed that the OP was designated as the SAPIO by the Department of Agriculture, Government of Tripura vide notification No.F.20(22)-Agri/Dev/Part/2006-07/707-733 dated 19.08.2008 and Sri Nilmoan Biswas, Deputy Director of Agriculture, Dhalai District was designated as the SPIO vide notification No.F.20(22)-Agri/Dev/Part/2006-07/680-706 dated 19.08.2008. The OP further stated that immediately on receipt of the written request of the complainant in issue accompanied by the requisite amount of application fee, he formed a committee on 01.06.2009 consisting of 4 members for collection and compilation of the information by 20.06.2009 for disclosure to the complainant. The OP received the compiled information from the custodians through the committee in phases and these were furnished to the complainant on 11.08.2009, 01.09.2009 and 31.10.2009 and again on 06.11.2009 and 07.11.2009 in compliance with the direction of this Commission given in its order dated 24.10.2009. Similarly, he has also deposited an amount of Rs. 306/- in the government exchequer towards additional fees for supply of 153 sheets of information to the complainant free of charge since the OP failed to supply the said information within the statutory period as prescribed by the Act, OP added. This fact has also been confirmed by the Director of Agriculture, Government of Tripura vide his letter dated 16.11.2009 enclosing therewith a copy of the challan towards the said deposit. The OP expressed that he did not receive any



training on the RTI laws. It was due to lack of his adequate knowledge about the provisions of the Act and the Tripura Right to Information Rules, 2008 (for short the Rules) that instead of forwarding the written request of the complainant in issue to the concerned SPIO immediately after its receipt, the OP took all necessary steps for its disposal at his level. The OP further added that all the information sought for by the complainant were not readily available in his office and it took considerable time to collect such highly voluminous information from the offices of all the VLWs under Salema Agri Sub-Division and, therefore, the delay was unintentional. The OP also submitted that he took all necessary steps commencing from 01.06.2009 to collect the information from the custodians for their disclosure to the complainant and that he had no malafide intention to withhold the information. In view of these facts and the circumstances, the OP craved mercy of the Commission for his unintentional delay in providing the information to the complainant and for taking wrong steps in disposal of the written request of the complainant in issue and, therefore, prayed to be exonerated from the charge of contravention of the provisions of the Act and imposition of penalty. Since, the OP took all necessary steps at his level to collect the information sought for by the complainant vide his written request in issue from the custodians and almost all of them were provided to the complainant on different dates and that the OP had no malafide intention in dealing with the written request in issue and further that the delay in providing the information was unintentional, I am inclined to take a lenient view and to order that the penalty proposed to be imposed under section 20(1) of the Act be dropped with a strong warning that the OP should be more careful and circumspect in future in dealing with the RTI matters strictly in adherence with the relevant provisions of the Act and the Rules.

6. The complainant was directed vide order dated 05.11.2009 sent to him by registered post to appear before this Commission on 18.11.2009 at 11 A.M. and submit written rejoinder, if any on the additional written representation dated 04.11.2009 of the OP. The complainant neither appeared nor submitted any rejoinder expressing his dissatisfaction, if any on the information so far supplied to him by the OP. Therefore, it is presumed that the information provided by the OP are adequate and the complainant is satisfied with them.

Cs



7. It is experienced by the Commission that most of the stakeholders under the Department of Agriculture, Government of Tripura are not properly trained and, therefore, are not well aware about the provisions of the RTI laws. The Director of Agriculture, Government of Tripura being the head of the Public Authority is under obligation to arrange for adequate training of its officials on the RTI and related matters. The Tripura Information Commission with the assistance of the District Administration has started Sub-Divisional level training-cum-awareness programmes which commenced on 16.11.2009 at Amarpur Sub-Division and will cover all other Sub-Divisions in phases. The Director of Agriculture, Government of Tripura is requested to direct his designated officials to be in touch with their respective Sub-Divisional Magistrates and attend the training-cum-awareness programmes on RTI.

8. In consideration of the facts and the circumstances narrated above, the complaint now stands finally disposed of with the following orders:-

- (i) The OP Sri Pratap Ch. Das, SA, Salema Agri Sub-Division, Salema is directed to collect and supply the balance information to the complainant latest by 22.12.2009.
- (ii) The penalty proposal initiated under section 20(1) of the Act stands dropped. However, the OP Sri Pratap Ch. Das, SA, Salema Agri Sub-Division, Salema is hereby warned that he should be more careful and circumspect in future in dealing with the RTI matters strictly in adherence with the relevant provisions of the Act and the Rules.
- (iii) The Director of Agriculture, Government of Tripura being the head of the Public Authority is requested to direct all its designated officials to attend Sub-Divisional level RTI training-cum-awareness programmes as mentioned at paragraph – 7 above.

9. Let copy of this order be sent to the complainant, the OP and the Director of Agriculture, Government of Tripura being the head of the Public Authority,

Sd/-

(B.K.Chakraborty)

State Chief Information Commissioner

Co.



No. 1266-248

Dated, 18.11.2009

Copy to:-

1. Sri Premananda Das, S/O Late Mangala Nanda Das, Vill : Harerkhola : P.O.- Kamalpur, District - Dhalai ( Complainant ).
2. Sri Pratap Ch. Das, Superintendent of Agriculture, Salema Agri Sub-Division, Salema, Kamalpur, Dhalai, Tripura (State Assistant Public Information Officer) - OP.
3. The Director of Agriculture, Government of Tripura, Agartala (Head of the Public Authority).

Handwritten signature of S.C. Saha in blue ink.

(S.C. Saha)  
Secretary

Tripura Information Commission