



In the Tripura Information Commission
P. N. Complex: Gorkhabasti : Agartala

Complaint No TIC- 26 of 2008-09.

Sri Jiban Kumar Dasgupta
Corporation Ranger
TFDPC Ltd.- North Division, Kumarghat
North Tripura.
Mobile Phone No- 9436137044.....Complainant

Vs.

Sri Pranab Kumar Das, IFS, Executive Director, TFDPC Ltd., Abhoynagar, Agartala
(State Public Information Officer).
.....Opposite Party

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

PRESENT:

1. Sri B.K.Chakraborty
State Chief Information Commissioner

2. Sri D.K.Daschaudhuri
State Information Commissioner

For the Complainant: The complainant Sri Jiban Kumar Dasgupta himself.

For the Opposite Party: Sri Pranab Kumar Das, IFS, Executive Director, TFDPC
Ltd., Abhoynagar, Agartala (State Public Information
Officer).

Date of lodging the complaint: 18.09.2008

Date of hearing: 16.10.2008

Date of pronouncing the judgment and order: 15.11.2008

JUDGMENT AND ORDER

Facts:

1. This complaint under section 18(1) of the RTI Act, 2005 (for short the Act) arose out of a written application dated 10.09.2008 of Sri Jiban Kumar Dasgupta (here in after referred to as the complainant) sent by speed post and received by this Commission on 18.09.2008.

for



The case of the complainant is that the Opposite Party (OP) the State Public Information Officer (SPIO) in the TFDPC Ltd., Agartala did not provide adequate information against item No.(v) of his written request dated 01.09.2007 in compliance with the judgment and order dated 19.04.2008 of this Commission passed in Complaint No-23 of 2007-08. Hence, the complainant approached this Commission for taking necessary action in the matter. Along with his written application, the complainant furnished photocopies of the relevant papers.

3. On perusal of the written application with enclosures, this Commission found adequate materials to take cognizance of a complaint under section 18(1) of the Act and accordingly, it was registered.

4. In response to the summons, the OP Sri Pranab Kumar Das, IFS, Executive Director, TFDPC Ltd., Agartala and the SPIO appeared and submitted his written representation.

5. Heard oral submissions made by the complainant and the OP.

Point for decision:

6. In consideration of the facts and the circumstances, the only point to be decided is whether or not the OP being the SPIO provided adequate information against item No.(v) as mentioned in the written request dated 01.09.2007 of the complainant in compliance with this Commission's order dated 19.04.2008 passed in Complaint No-23 of 2007-08.

Reasons for decision:

7. On perusal of the records produced by both the parties, it reveals that the complainant under item No.(v) of his written request dated 01.09.2007 sought for the information, namely, the certified true copy of the procedure and rules for recruitment of the Divisional Managers of TFDPC Ltd. from TCS Cadre and Forest Department officials during the period from 1976 to 2007 with time to time modification. On a complaint lodged by the complainant before this Commission on 09.10.2007 registered as Complaint No-23 of 2007-08 on the same subject matter, this Commission passed an order on 19.04.2008 directing the OP being the SPIO to furnish certified copies of the available documents including the above information to the complainant within a period of 15 days from the date of passing of the said order. In compliance with the said order, the OP being the SPIO on 24.04.2008 provided the required information, namely, certified true copies of two sheets of paper depicting the organizational set up of the TFDPC Ltd. The complainant in his written complaint dated 10.09.2008

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before this Commission (present complaint) agitated that 33 years old proposed organizational set up as provided by the OP cannot be termed as recruitment rules and that was also not provided in chronological order like 1976 to 1978. - Board decisions, 1978 to 1990. - TCS rules and 1992 to 2008- Forest Department Rule, which were required to be given by the OP.

8. The OP in his written representation dated 15.10.2008 furnished in this complaint categorically stated that since the Divisional Managers are deputed to the TFDPC Ltd. from other Department on deputation on the basis of the organizational guidelines of the TFDPC Ltd., which had already been supplied to the complainant and there exists no other recruitment rules. The OP further stated that in the original written request dated 01.09.2007 of the complainant, the information was not sought for in chronological order as the complainant is now demanding.

9. After a careful appreciation of the facts as discussed here in above, we are of the view that since there exists no other recruitment rules other than the organizational guidelines containing the procedure and manner for posting of Divisional Managers in the TFDPC Ltd., the information provided by the OP being the SPIO was adequate. The complainant's grievance that the information were not provided in chronological order does not stand in view of the facts that in his written request in issue, the information was not sought for in such format. So, his allegation is not sustainable.

Decision:

10. In fine, the complaint is dismissed on contest without any relief to the complainant.

11. Let copy of this judgment and order be sent to the complainant, the OP and the PCCF, Government of Tripura being the head of the Public Authority.

12. Pronounced.

Sd/-
(D.K.Daschaudhuri)
State Information Commissioner

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

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Authenticated

P. Chakraborty

(P. Chakraborty)
Secretary

Tripura Information Commission

Tripura Information Commission
P. N. Complex: Gorkhabasti : Agartala

Complaint No. TIC- 26 of 2008-09/ 1371-44

Dated, 15.11.2008

Copy to:-

1. Sri Jiban Kumar Dasgupta, Corporation Ranger, TFDPC Ltd.- North Division, Kumarghat, North Tripura (Complainant).
2. Sri Pranab Kumar Das, IFS, Executive Director, TFDPC Ltd., Abhoynagar, Agartala (State Public Information Officer).
3. The Principal Chief Conservator of Forests, Government of Tripura, Agartala (Head of the Public Authority).

P. Chakraborty
(P.Chakraborty)
Secretary

Tripura Information Commission