

RIGHT TO INFORMATION

ANNUAL REPORT

2016

West Bengal Information Commission
Khadya Bhavan
11A, Mirza Ghalib Street, Kolkata - 700 087

FOREWARD

"Democracy must be built through open societies that share information. When there is information, there is enlightenment." [Atifete Jahjaga, Kosovan Politician & Stateswoman who served as the third President of Kosovo.]

The Right to Information came to be judicially recognised in India by the early 1980s and the Right to Information Act (2005) came into force on 12th October, 2005, replacing the Freedom of Information Act (2002). The enactment of the RTI Act, 2005 was to secure access to such information under the control of public authorities in order to promote transparency and accountability in the functioning of Government, dispelling thereby the undue aura of secrecy that had become the prevalent culture.

The health of a democracy largely depends upon the quality and quantity of information pertaining to its governance that is easily accessible to and its proper use by enlightened citizens. Information empowers and provides the basis for citizens to exercise their democratic rights. The government machinery is also compelled to deliver due services to the people at large.

This Commission, has been striving relentlessly since its inception to decide appeals and complaints preferred by citizens from different walks of life as quickly as possible inspite of its very limited manpower.

It must be placed on record that this report would have been published sooner and would have more complete if all the public authorities had furnished their reports to this end in time.

I sincerely believe that more definitive measures will be adopted by those defaulting departments/PAs in providing their reports in time to enable this Commission to present a more wholesome and purposeful picture in the years to come.



[B. Banerjee, IAS (Retd.)]
State Chief Information Commissioner
Government of West Bengal

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INTRODUCTION

The Right to Information Act, 2005 has put in place a practical regime to ensure the right to information for citizens by securing access to information under the control of public authorities. An informed citizenry with access to information is vital to the functioning of democracy, to contain corruption and to hold the Governments and their instrumentalities accountable. The Act seeks to promote transparency and accountability in the working of public authorities. It provides the framework for citizens to access information which is held by or under the control of any public authority which includes the right to inspection of work, documents and records. The Act applies to all public authorities including bodies owned, controlled or substantially financed by Government as well as non-Government organisations substantially financed by Government.

Under the Right to Information Act, a Central Information Commission and State Information Commissions have been set up. The Commissions receive and inquire into complaints relating to denial of information by the public authorities and decide on second appeals against the public authorities. The Commissions are also vested with powers to impose penalty on Public Information Officers found guilty under the provisions of the Act, to recommend disciplinary action against them and to require public authorities to compensate complainants for any loss or detriment suffered. The Commissions can also direct public authorities to take appropriate steps to secure compliance with the provisions of the Act.

CHAPTER - 1

WEST BENGAL INFORMATION COMMISSION:-

West Bengal Information Commission was constituted by the Government of West Bengal vide Notification No. 747-PAR(AR) dated 12.12.2005 which was published in The Kolkata Gazette. The Commission was reconstituted vide Notification No 744-PAR(AR) dated 03.08.2010.

Office of the State Chief Information Commissioner, West Bengal.

SL. No.	Name	From	To
1	Shri Arun Kumar Bhattacharya	27 th December, 2005	1 st December, 2010
2	Shri Sujit Kumar Sarkar	1 st December, 2010	6 th June, 2014
3	Shri K. John Koshy	18 th June, 2014	3 rd February, 2015 addl charge
		3 rd February, 2015	6 th November, 2015
4	Dr. G. D. Gautama	17 th November, 2015	27 th July, 2016 addl charge
		27 th July, 2016	31 st December, 2016 and Continued.

Suo Motu Disclosure of Information u/s 4(1) (b)

The Right to Information Act has envisaged that all the Public Authorities shall make a constant endeavour to take steps in accordance with the requirements of this Act to publish all relevant information for the knowledge of citizens at large and update the same at regular intervals.

The Act enjoins that all the records of the Public Authority should be duly catalogued and indexed in a manner and in the form which facilitates the right to information of citizens. For this purpose, the records need to be computerized within a reasonable time and connected through a network all over the country so that access to such records is facilitated.

Section 4(1)(b) has given a list of seventeen such vital information pertaining to each Public Authority which are to be published *suo motu* so that the public have minimum resort to the use of this Act to obtain information.

The relevant information under Section 4(1)(b) in respect of the West Bengal Information Commission for the period under report is given below:-

Particulars of the organization, functions and duties of the Commission:-

Name of the Office – West Bengal Information Commission

Address:- Khadya Bhaban, 11A, Mirza Ghalib Street, Kolkata-700 087.

Website: www.wbic.gov.in

E-mail: scic-wb@nic.in

Contact No. Tele : (033)2252-0509 / Fax : (033) 2252-0501

The Information Commissioners:-

The West Bengal Information Commission consists of the following members :

1) State Chief Information Commissioner**Dr. G.D. Gautama**

From 01.01.2015 to 27.07.2016 additional charge of State Chief Information Commissioner

From 28.07.2016 to 31.12.2016 as State Chief Information Commissioner

2) State Information Commissioner**Shri G. M. P. Reddy**

From 27.07.2016 till date

Functions : West Bengal Information Commission has been constituted under sub-section (1) and sub-section (7) of section 15 of the Right to Information (RTI) Act, 2005 vide gazette notification No. 747-PAR (AR) dated 12.12.2005 and published in the Gazette on 03.01.2006. The Commission's mandate is to exercise the powers conferred on, and to perform the functions assigned to it under the Act.

The general superintendence, direction and management of the affairs of the State Information Commission vests in the State Chief Information Commissioner who shall be assisted by the State Information Commissioner and exercise all such powers and does all such acts and things which may be exercised or done by the Information Commission autonomously without being subjected to directions by any other authority under the RTI Act.

The Act enjoins upon the State Government to provide the State Chief Information Commissioner and the State Information Commissioner with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

So far thirty (30) posts of different categories have been sanctioned by the Government. A list of posts filled is as under:-

Sl. No.	Designation of the Officers/Employees	No. of posts sanctioned	No. posts filled	Remarks
1	Secretary & Registrar	1	1	
2	Deputy Secretary & Additional Registrar	1	1	
3	Law Officer & Joint Registrar	1	1	
4	Finance Officer	1	1	
5	P. S. Gr-I	1	1	One P.A. and one stenographer have been posted on ad-hoc basis
6	P. S. Gr-II	1	Vacant	
7	Section Officer	1	1	
8	Accountant	1	1	
9	Head Assistant	1	1	
10	Judicial Peshkar	1	1	
11	U.D. Assistant	7	7	
12	L.D. Assistant	2	1	

Sl. No.	Designation of the Officers/Employees	No. of posts sanctioned	No. posts filled	Remarks
13	Cashier	1	Vacant	
14	System Administrator	1	1	Joined on 17.07.2015
15	System Supervisor	1	Vacant	
16	P.A.	1	Vacant	
17	Data Entry Operator	2	Vacant	One Data entry operator has been engaged on casual basis
18	Typist (with working knowledge of Computer)	2	Vacant	
19	Record Supplier	1	Vacant	
20	Peon	2	Vacant	Three Gr. D staff have been posted on ad-hoc basis

- **NOTE I:** One post of Technically Skilled Manpower on contract basis has been sanctioned by P & AR Department.
- **NOTE II:** Service of one P.A. was placed in this Commission from P & A. R. Department
- **NOTE III:** In addition, two typists are working on consolidated pay basis from time to time to cope with the typing work.
- **NOTE IV:** Two Gr. D staff are also working on consolidated pay basis to cope with the work of the Commission.
- **NOTE V:** One Data entry operator has been engaged on casual basis.

Nodal Government Department:- The budget for the Commission is published in the budget book pertaining to Personnel and Administrative Reforms Department of the Govt. of West Bengal.

Jurisdiction:- The Commission has jurisdiction over all public authorities established or constituted by any law made by State Legislature, by any notification issued or order made by the State Government and includes any body owned, controlled or substantially financed including NGOs substantially financed directly or indirectly by the funds provided by the State Government.

Mission:- To ensure the citizens their Right to Information from public authorities in accordance with provisions of the Right to Information Act, 2005.

Vision:- Transparent functioning of public authorities to enable in achieving the goals envisaged in the Constitution of India for every Indian citizen.

Objectives:- Fulfilling the mandate assigned in the RTI Act, 2005.

Details of Services provided / Duties:- As per the RTI Act, 2005 the Commission has been assigned the task of receiving complaints and appeals, for providing suitable relief to the appellants as per the provisions of the RTI Act, 2005.

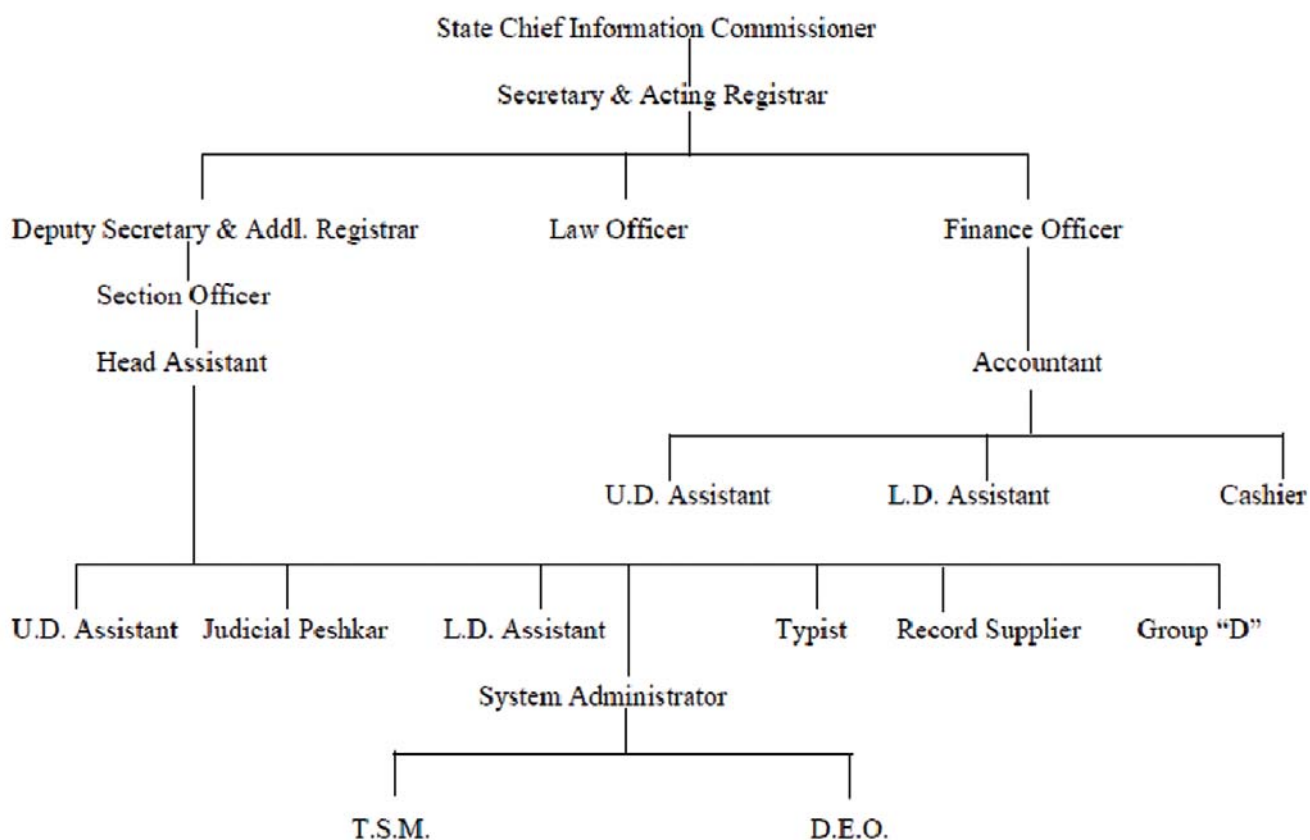
Physical Assets:- Office space is provided by the State Government.

● **Powers and duties of Officers and employees:-**

Sl. No.	Designation	Powers and Duties
1.	State Chief Information Commissioner	General superintendence, direction and management of affairs of the Commission which receives appeals and complaints under the RTI Act., hearing of complaints / appeals as per provisions of RTI Act.
2.	State Information Commissioner	General superintendence, direction and management of affairs of the Commission which receives appeals and complaints under the RTI Act, hearing of complaints / appeals as per provisions of RTI Act.
3.	Secretary & Registrar	Overall supervision of all administrative work, maintaining liaison with State Government and Government of India on behalf of the Commission, Registrar to the Commission and discharging duties of the First Appellate Authority of the Commission.
4.	Deputy Secretary & Additional Registrar	Administrative work under supervision of the Secretary of the Commission.
5.	Finance Officer	Drawing and Disbursing Officer.
6.	Law Officer	Supervising and monitoring of all court cases and legal matters, maintaining liaison with the advocates of the Commission and preparation of Statement of Facts and briefs, supervising and monitoring of data management system, usual works as and when directed.
7.	Section Officer	To Supervise RTI matters, staff and establishment related matters.
8.	P.S. Gr. I	Usual works as and when directed by the State Chief Information Commissioner.
9.	P.S. Gr. II	i) Usual works as and when directed by the State Chief Information Commissioner. ii) Taking dictation as and when necessary.
10.	P.A.	i) Usual works as and when directed by the State Chief Information Commissioner/ State Information Commissioner. ii) Taking dictation as and when necessary.
11.	Accountant	Usual work as Accountant.
12.	Head Assistant	Dealing with RTI files and establishment related matters.

Sl. No.	Designation	Powers and Duties
13.	Judicial Peshkar	i) Usual works as Judicial Peshkar. ii) Dealing RTI files as and when be necessary and be allotted.
14.	U.D. Assistant	Dealing RTI files and other work of establishment as assigned by the Commission.
15.	L.D. Assistant	Reference work - Receiving of letters / Diaries / Name Index / Opening new files / Dispatch of letters.
16.	System Administrator	Overall in-charge of computer management, Website management and maintenance, LAN Trouble shooting, System management and maintenance.
17.	Technical Skilled Manpower	Website management and maintenance, LAN Trouble shooting, System management and maintenance under the control of System Administrator.
18.	Data Entry Operator	Data Entry & Typing.
19.	Casual Typist	Typing Works
20.	Peon	Usual Works of a Gr. D employee.

West Bengal Information Commission



Procedure followed in deciding on Appeals and Complaints under the RTI Act, 2005:-

The Commission receives **Complaints under Section 18 of the RTI Act** and **Appeals under Section 19 of the RTI Act**. These Complaints and Appeals are disposed as per provisions of the Act as well as the West Bengal Right to Information Rules, 2006.

The process followed for processing the cases is indicated below:

Sl. No.	Details of Activity in the Commission	Decision making process	Authority Responsible for the Activity
1	Complaints under Section 18	Stage 1: Comments of SPIO and Appellate Authority sought if necessary. Stage 2: Further Inquiry or Hearing as per the directions of SCIC/SIC Stage 3: Final Order	Secretary and Registrar as per directions of SCIC/SIC
2.	Appeals under Section 19	Stage 1: Comments of SPIO and Appellate Authority sought if necessary. Stage 2: Further inquiry or Hearing as per the directions of SCIC/SIC Stage 3: Final Order	Secretary and Registrar as per directions of SCIC/SIC
3.	Annual Report	Annual Report is prepared based on information obtained from all Departments as well as Commission's own work. The Report as approved by the Commission is sent to Government for placing in the Assembly	Secretary and Registrar under directions of the Commission
4.	Procuring Goods and Services for the Commission	As per Financial Rules and Delegation of Financial Powers Rules	Secretary of the Commission under general supervision of SCIC
5.	General Administration of the Commission	As per general direction of the State Chief Information Commissioner	Secretary of the Commission under general supervision of SCIC

Norms set for discharging of duties & functions in WBIC:

Appeals and Complaints are disposed off by the Commission as per provisions of the RTI Act, 2005 and the Rules framed thereunder. The cases are taken up for consideration on chronological basis as far as practicable, subject to receiving all reports and clarifications as may be required.

In office administration and financial matters, the Commission follows rules and procedures applicable in Government departments subject to Section 15(4) of the RTI Act.

**Act, Rules, Regulations, Instructions, Manuals and Records used by WBIC
for discharging its functions:**

1. The Right to Information Act, 2005
2. West Bengal Right to Information Rules, 2006 and its subsequent amendments
3. Reports/Orders of the Central Information Commission and other State Information Commissions
4. Directions/Orders of Hon'ble High Court and Hon'ble Supreme Court
5. Indian Evidence Act
6. The Constitution of India
7. Civil Procedure Code
8. Oaths Act
9. Black's Law Dictionary

Categories of documents held by WBIC :

Sl. No.	Subject	Type of Document file / muster/register voucher etc.	Particulars Heading/type in the document	Periodicity of preservation
1.	Appeals	Files	Section 19 of RTI Act	Not yet decided
2.	Complaints	Files	Section 18 of RTI Act	Do
3.	General/ Miscellaneous	Files	General matter related to RTI or Miscellaneous non-RTI matters	As per Secretariat manual
4.	Administration	Files	Files related to administration	Do
5.	Accounts	Files	Relating to accounts and audit matters.	Do
6.	Annual Report	Files	Materials furnished by Departments for Annual Report	Do

Arrangement for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof:

There is no prescribed mechanism for consultation under the RTI Act. The Commission functions under various provisions of the Act and Rules made thereunder. Consultations and meetings are held from time to time with public authorities and other concerned organizations as required.

Boards, councils, committees and other bodies constituted:

None

Directory of the Officers and Employees of WBIC:

Under Section 4 (1)(b)(ix) a directory of the State Chief Information Commissioner, State Information Commissioner and the officers & employees & their monthly remuneration in West Bengal Information Commission is given below:

Sl. No	Name & Designation	Telephone Number	E-mail ID	Remarks
1	Dr. G.D. Gautama, State Chief Information Commissioner, West Bengal	(033) 2252-0485/ (033) 2252-0509	scic-wb@nic.in	From 01.01.2016 to 27.07.2016 held additional charge of State Chief Information Commissioner, West Bengal, from 28.07.2016 to 31.12.2016 independent charge.
2	Shri G.M. P. Reddy State Information Commissioner, West Bengal	(033) 2252-0487/ (033) 2252-0509	scic-wb@nic.in	From 27.07.2016 till date.
3	Shri Kajal Kumar Bandopadhyay, Secretary & Registrar, West Bengal Information Commission	(033) 2252-0488/ (033) 2252-0509	N.A.	From 16.09.2013 to 31.12.2016
4	Shri Biswajit Chattapadhyay, Finance Officer, West Bengal Information Commission	(033) 2252-0508/ (033) 2252-0509	N.A.	From 01.01.2016 to 31.12.2016.
5	Shri Pranab Kumar Charkarborty, Deputy Secretary & Addl. Registrar	(033) 2252-0489/ (033) 2252-0509	N.A.	upto March, 2016
6	Anita Sahoo, Law Officer, West Bengal Information Commission	(033) 2252-0507/ (033) 2252-0509	N.A.	From 08.06.2012
7	Shri Subhendu Mondal Deputy Secretary & Addl. Registrar	(033) 2252-0489/ (033) 2252-0509	N.A.	From 15.04.2016
8	Shri Sadhan Mondal, P.A.	(033) 2252-0509	N.A.	
9	Shri Billwa Kr. Kundu, P.A.	(033) 2252-0509	N.A.	Service was placed from P & A.R. Deptt.

Sl. No	Name & Designation	Telephone Number	E-mail ID	Remarks
10	Shri Subrata Sanfui P.A.	(033) 2252-0509	N.A.	From 04.05.2012
11	Shri Achinta Pal, P.A.	(033) 2252-0509	N.A.	
12	Shri Sunit Mondal, Accountant	(033) 2252-0509	N.A.	From September, 2015
13	Shri Krishnendu Mitra, Section Officer	(033) 2252-0509	N.A.	From 12.06.2015 (A.N.)
14	Smt. Uma Bhowmick, Head Assistant	(033) 2252-0509	N.A.	From 10.08.2015
15	Shri Nabarun Mukherjee U.D. Assistant	(033) 2252-0509	N.A.	
16	Shri Biswajit Sanyal, U.D. Assistant	(033) 2252-0509	N.A.	
17	Shri Mohit Kumar Naru U.D. Assistant	(033) 2252-0509	N.A.	
18	M. Habib Gazi U.D. Assistant	(033) 2252-0509	N.A.	
19	Shri Apurba Roy, U.D. Assistant	(033) 2252-0509	N.A.	
20	Shri Saikat Pramanik, U.D. Assistant	(033) 2252-0509	N.A.	
21	Shri Alok Kr. Nundun U.D. Assistant	(033) 2252-0509	N.A.	
22	Shri Ashok Dutta L.D. Assistant	(033) 2252-0509	N.A.	
23	Shri Gopal Majumdar, L.D. Assistant	(033) 2252-0509	N.A.	
24	Smt. Rituparna Bhattacharya, L.D. Assistant	(033) 2252-0509	N.A.	
25	Smt. Soma Goswami, Gr. D	(033) 2252-0509	N.A.	Service was placed from P & AR Dept.
26	Shri Sudipta Maji, System Administrator	(033) 2252-0509	N.A.	Joined on 17.07.2015 Contractual
27	Smt. Sutapa Basu, Technically Skilled Manpower	(033) 2252-0509	N.A.	Contractual
28	Shri Partha Mondal, Typist (Casual)	(033) 2252-0509	N.A.	Casual
29	Shri Asit Patra, Typist (Casual)	(033) 2252-0509	N.A.	Casual

Sl. No	Name & Designation	Telephone Number	E-mail ID	Remarks
30	Shri Shyam Sundar Sar, Gr. - 'D' (Casual)	(033) 2252-0509	N.A.	Casual
31	Shri Tanmoy Bhattacharya, Gr. - 'D' (Casual)	(033) 2252-0509	N.A.	Casual
32	Annesha Shaw Data Entry Operator (Casual)	(033) 2252-0509	N.A.	Casual
33	Chandan Mallick, Sweeper (Casual)	(033) 2252-0509	N.A.	Part time

Details of remuneration of officers and employees :

According to the provisions of section 16 (5) the RTI Act, 2005 the salaries and allowances payable to and other terms and conditions of services of -

- (a) The State Chief Information Commissioner shall be the same as that of the Election Commissioner ;
- (b) The State Information Commissioner shall be the same as that of the Chief Secretary of the State Government :

Provided that if the State Chief Information Commissioner or an Information Commissioner, at the time of his appointment is, in receipt of a pension, other than a disability or wound pension, in respect of any previous service under the Government of India or under the Government a State, his salary in respect of the service as the Chief Information Commissioner or an Information Commissioner shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent to other forms of retirement benefit excluding pension equivalent to retirement gratuity:

Provided further that if the State Chief Information Commissioner or an Information Commissioner at the time of his appointment, is in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act or State Act or a Government company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the Chief Information Commissioner or an Information Commissioner shall be reduced by the amount of pension equivalent to retirement benefits:

Provided also that the salaries, allowances and other conditions of service of the State Chief Information Commissioner and the Information Commissioners shall not be varied to their disadvantage after their appointment.

It has also been laid down under section 16(6) of the RTI Act, 2005 that the state Government shall provide the State Chief Information Commissioner and the State Information Commissioner with such officers and employees as may be necessary for the efficient performance of their functions under this Act, and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

The scale of pay of the State Chief Information Commissioner, State Information Commissioner and the officers and employees of West Bengal Information Commission are as under:-

Sl. No.	Designation of the posts	Pay scale of the post
1.	State Chief Information Commissioner	Rs. 90,000/- (Fixed)
2.	State Information Commissioner	Rs. 80,000/- (Fixed)
3.	Secretary & Registrar	Rs. 37,400 - 67,000/- + G.P. Rs. 8,700/- + Personal Pay Rs. 1,300/-
4.	Deputy Secretary & Additional Registrar	Rs. 28,000 -52,000/- + G.P. 7,600/-
5.	Finance Officer	Rs. 28,000 - 52,000/- + G.P. Rs.7,600/-
6.	Law Officer & Joint Registrar	Rs. 15,600 - 42,000/- + G.P. Rs. 5,400/-
7.	Section Officer	Rs. 9000/- - 40500/- + G.P. Rs. 4780/-
8.	Accountant	Rs. 9000/- - 40500/- + G.P. Rs. 4780/-
9.	Head Assistant	Rs. 7,100-37,600/- + G.P. Rs. 4,220/-
10.	Judicial Peshkar	Rs. 7,100/- - 37,600/- + G.P. Rs. 3600
11.	U.D. Assistant	Rs. 7,100 - 37,600/- + G.P. Rs. 3,600/-
12.	P.S. to SCIC	Rs. 9,000/- - 40,500/- + G.P. Rs. 5400/-
13.	P.A. to SCIC	Rs. 7,100/- - 37,600/- + G.P. Rs. 3,600/-
14.	L.D. Assistant	Rs. 5,400/- - 25,200/- + G.P. Rs. 2,600/-
15.	Cashier	Rs. 5,400/- - 25,200/- + G.P. Rs. 2,600/-
16.	System Administrator	Rs. 22,000/- Consolidated, From 01.01.2016
17.	Technical Skill Manpower	Rs. 12,000/- Consolidated, From 01.03.2016
18.	P.A. to SIC	Rs. 7,100 - 37,600/- + G.P. Rs. 3,600/-
19.	Data Entry Operator	Rs. 7,708/- Consolidated, From 01.01.2016
20.	Typist (working knowledge of computer)	Rs. 13,500/- Consolidated, From 01.03.2016
21.	Record Supplier	Rs. 5,400/- - 25,200/- + G.P. Rs. 1,900/-
22.	Gr. D	Rs. 4,900/- - 16,200/- + G.P. Rs. 1,800/-

Budget Allocation, Expenditures and Disbursements:

Under Section 4(1)(b)(xi) the Commission has to provide details of allocation of budget and disbursement made during financial year 2016 - 2017. These are placed on the website giving details of budget and its utilization till date in the following format to comply with this section.

Net Grant Statement for the financial year 2016-17

Head of Accounts	Original Grant in Budget	Supplimentary Grant (Re-appropriation)	Total Grant received	Total Expenditure	(Excess)/ Savings
42-2052-00-090-NP-028-V-01-01	4870000	0	4461647	5360880	-899233
42-2052-00-090-NP-028-V-01-02	4863000	0	4077288	3835717	241571
42-2052-00-090-NP-028-V-01-03	858000	0	723802	751538	-27736
42-2052-00-090-NP-028-V-01-04	57000	0	45000	27200	17800
42-2052-00-090-NP-028-V-01-05	341000	0	136000	153166	-17166
42-2052-00-090-NP-028-V-01-07	75000	0	75000	581500	-506500
42-2052-00-090-NP-028-V-01-12	7000	0	3995	3000	995
42-2052-00-090-NP-028-V-01-14	851000	0	832887	782360	50527
TOTAL OF HEAD SALARY	11922000	0	10355619	11495361	-1139742
42-2052-00-090-NP-028-V-02-00	713000	0	713000	1180490	-467490
42-2052-00-090-NP-028-V-07-00	164000	0	69751	95951	-26200
42-2052-00-090-NP-028-V-11-00	382000	0	129048	54125	74923
42-2052-00-090-NP-028-V-12-00	131000	0	78409	43934	34475
42-2052-00-090-NP-028-V-13-01	120000	0	22896	21620	1276
42-2052-00-090-NP-028-V-13-02	349000	0	257545	266080	-8535
42-2052-00-090-NP-028-V-13-03	1350000	0	386223	365133	21090
42-2052-00-090-NP-028-V-13-04	1230000	0	1169960	1164614	5346
42-2052-00-090-NP-028-V-27-00	200000	0	38358	34791	3567
42-2052-00-090-NP-028-V-28-02	790000	0	364828	344621	20207
42-2052-00-090-NP-028-V-50-00	210000	568000	778000	513046	264954
42-2052-00-090-NP-028-V-51-00	400000	0		0	0
GRAND TOTAL	17961000	568000	14363637	15579766	-1216129

The budget provision for the financial year 2017- 2018 is also given hereunder:-

Head of Account	Actuals 2016-17	Budget estimate 2017-18
42-2052-00-090-NP-028-V-01-01	5360880	4761000
42-2052-00-090-NP-028-V-01-02	3835717	5158000
42-2052-00-090-NP-028-V-01-03	751538	833000
42-2052-00-090-NP-028-V-01-04	27200	59000
42-2052-00-090-NP-028-V-01-05	153166	476000
42-2052-00-090-NP-028-V-01-07	581500	80000
42-2052-00-090-NP-028-V-01-12	3000	7000
42-2052-00-090-NP-028-V-01-14	782360	1190000
TOTAL OF HEAD SALARY	11495361	12564000
42-2052-00-090-NP-028-V-02-00	1180490	763000
42-2052-00-090-NP-028-V-07-00	95951	179000
42-2052-00-090-NP-028-V-11-00	54125	416000
42-2052-00-090-NP-028-V-12-00	43934	143000
42-2052-00-090-NP-028-V-13-01	21620	131000
42-2052-00-090-NP-028-V-13-02	266080	380000
42-2052-00-090-NP-028-V-13-03	365133	1472000
42-2052-00-090-NP-028-V-13-04	1164614	1341000
42-2052-00-090-NP-028-V-27-00	34791	210000
42-2052-00-090-NP-028-V-28-02	344621	861000
42-2052-00-090-NP-028-V-50-00	513046	229000
42-2052-00-090-NP-028-V-51-00	0	436000
GRAND TOTAL	15579766	19125000

Execution of subsidy programmes:

The Commission does not implement any subsidy programme.

Recipients of concessions, permits or authorizations granted:

None

Information available in electronic form:

Important information related to the RTI Act, 2005 are uploaded in the Commission's website: www.wbic.gov.in and are updated regularly.

A list of such information uploaded in the website is given below:

Sl. No.	Type of Document	In which electronic format it is kept	Mode of retrieval
1.	The Right to Information Act, 2005	On website	Internet
2.	The West Bengal Right to Information Rules, 2006 and its amendments	Do	Do
3.	Relevant Notifications issued by the Government	Do	Do
4.	List of SPIOs as provided by the Public Authorities	Do	Do
5.	Decisions of the WBIC	Do	Do
6.	Show Cause Notices	Do	Do
7.	Hearing Dates	Do	Do
8.	Appeal / Complaint format	Do	Do
9.	Important Circulars / Notifications	Do	Do
10.	Frequently Asked Questions about the RTI Act, 2005	Do	Do
11.	Annual Report of the Commission	Do	Do
12.	Important letters of the Commission explaining different provisions of the Act	Do	Do
13.	Publication of notices inviting Tenders/ Quotations	Do	Do

Facilities available to citizens for obtaining information:

Officers of the Commission are available on phone and personally from 10.30 A.M. - 5.30 P.M. on all working days. The Commission's website www.wbic.gov.in provides relevant information for the public and is updated regularly. The Commission does not have a library or reading room.

The names, designation and other particulars of the Public Information

Officers of the Commission:

WEST BENGAL INFORMATION COMMISSION		
1. Kajal Kumar Bandyopadhyay, Secretary & Registrar, West Bengal Information Commission	WEST BENGAL INFORMATION COMMISSION Khadya Bhaban, 11A, Mirza Ghalib Street, Kolkata - 700 087. Email-scic-wb@nic.in Website-www.wbic.gov.in	Appellate Authority From 27.11.2013
2. Anita Sahoo, Law Officer & Joint Registrar, West Bengal Information Commission	Do	SPIO from 01.01.2016

Other information :

The Commission vide its Circular No. 1522-WBIC/Admn-05/13 dated 13.08.2014 modified the earlier circular No. 2964-WBIC/RTI/14/08 dated 18.11.2009 and decided that henceforth Complaints / Appeals u/s 18 and 19 of the RTI Act, 2005 shall be submitted to the Commission in triplicate in the new format. The relevant circular and new format for filing Second Appeal / Complaint have been uploaded on the website of the Commission.

Schedule for hearings and other important information are put up in the office Notice Board. All relevant information including decisions of the Commission are published on the Commission's website.

CHAPTER 2

ANNUAL REPORT for 2016

Section 25(1) of the RTI Act enjoins that the State Information Commission shall, as soon as practicable after the end of each year, prepare a report on the implementation of the provisions of the Act during that year and forward a copy to the State Government.

Section 25(2) of the RTI Act, 2005 stipulates that each department shall, in relation to the Public Authorities within their jurisdiction, collect and provide such information to the State Information Commission as is required to prepare the report under this section and comply with the requirements concerning the furnishing of that information and keeping of records for the purposes of this section.

Section 25(3) stipulates that the report shall provide the following information:

Each report shall state in respect of the year to which the report relates.—

- (a) the number of requests made to each public authority;
- (b) the number of decisions where applicants were not entitled to access to the documents pursuant to the requests, the provisions of this Act under which these decisions were made and the number of times such provisions were invoked;
- (c) the number of appeals referred to the Central Information Commission or State Information Commission, as the case may be, for review, the nature of the appeals and the outcome of the appeals;
- (d) particulars of any disciplinary action taken against any officer in respect of the administration of this Act;
- (e) the amount of charges collected by each public authority under this Act;
- (f) any facts which indicate and effort by the public authorities to administer and implement the spirit and intention of this Act;
- (g) recommendations for reform, including recommendations in respect of the particular public authorities, for the development, improvement, modernization, reform or amendment to this Act or other legislation or common law or any other matter relevant for operationalising the right to access information.

DISPOSAL OF RTI APPLICATIONS BY PUBLIC AUTHORITIES IN WEST BENGAL DURING THE PERIOD

West Bengal Information Commission issued instructions to all the Nodal Departments of the state of West Bengal, vide letter No. 913(63)-WBIC/Admn/1R-01/17 dated 01.03.2017, followed by 03 reminders viz. 1743-WBIC/Admn/ 1R-01/2017, 3374-WBIC/Admn/ 1R-01/2017 & 61-WBIC/Admn/ 1R-01/2017 respectively to collect information in terms of Section 25(2) of RTI Act from the Public Authorities and furnish the same to the Commission by 30.04.2017.

A compilation of the information as obtained from various Departments under this Government along with graphical representation on their performances is given in the following pages:

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Cases Rejected								No. of cases where 1st Appeal has been made u/s 19(1)			Amount of charges collected	Any facts which indicate the effort of the Public Authority to administer and implement the spirit and intention of the Act.
Under Section 8								8(1) (h)	8(1) (i)	8(1) (j)		
8(1) (h)	8(1) (i)	8(1) (j)	U/s 9	U/s 11	U/s 24	Other	Total	8(1) (h)	8(1) (i)	8(1) (j)		
15	16	17	18	19	20	21	22	23	24	25	26	27
0	0	0	0	0	0	0	0	0	0	0	54	No comments
0	0	0	0	0	0	0	2	0	0	0	0	Nothing so mentionable
0	0	0	0	0	0	0	1	0	0	0	0	NIL
0	0	0	0	0	0	5	5	1	0	1	175	No comments
0	0	0	0	0	0	0	0	15	0	15	900	No case rejected u/s 8 ro U/S. 19(1). Acquiring of information from district and other officers has caused delay in disposing of some applications.
0	0	0	0	0	0	33	44	3	3	3	440	
0	0	0	0	0	0	0	0	0	0	0	0	
0	0	0	0	0	0	10	16	0	0	0	0	NIL
0	0	0	0	0	0	10	16	0	0	0	190	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	20	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	2	0	2	150	
0	0	0	0	0	0	0	0	2	0	2	40	NIL
0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	1	0	1	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	1	0	1	0	1	90	NIL

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Sl. No.	Name of the Deptt.	Name of the Public Authority (under the jurisdiction)	Total No. of Registered (including those pending at the time of reporting)	No. of cases where access granted			Total No. of registered	Cases Rejected								
				Within 30 days	After 30 days	Total		Deemed Refusal U/s 7(2)	Under Section 8							
									8(1) (a)	8(1) (b)	8(1) (c)	8(1) (d)	8(1) (e)	8(1) (f)	8(1) (g)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14			
12	Food & Supplies Department	Department	46	40	6	46	0	0	0	0	0	0	0	0		
		Dte. of RATIONING	112	111	1	112	0	0	0	0	0	0	0	0		
		Dte. of CONSUMER GOODS	28	28	0	28	0	0	0	0	0	0	0	0		
		Dte. of Statistics	1	1	0	1	0	0	0	0	0	0	0	0		
		Dte. of Textiles & PDS	0	0	0	0	0	0	0	0	0	0	0	0		
		WBECS LTD.	16	4	5	9	0	0	0	0	0	0	0	0		
		Dte. of STORAGE	1	1	0	1	0	0	0	0	0	0	0	0		
		Dte. of FINANCE	3	1	1	2	0	0	0	0	0	0	0	0		
		Dte. of Non Cereal Essential Commodities	0	0	0	0	0	0	0	0	0	0	0	0		
		Dte. of Transportation	0	0	0	0	0	0	0	0	0	0	0	0		
		Dte. of DDP & S	681	653	28	681	0	0	0	0	0	0	0	0		
Dte. of I & QC	0	0	0	0	0	0	0	0	0	0	0	0				
13	Food Processing Industry and Horticulture	Department	9	8	1	9	0	0	0	0	0	0	0			
		Dte. of FPI	19	19	0	19	0	0	0	0	0	0	0			
		Dte. of Horticulture	9	9	0	9	0	0	0	0	0	0	0			
		Dte. CoMP	2	0	2	2	0	0	0	0	0	0	0			
		WBSFPI & HDCL	0	0	0	0	0	0	0	0	0	0	0			
14	Forest Department	All Dte. & regional sectors under PCCF & HoFF	92	90	2	92	0	0	0	0	0	0	0			
15	Higher Education Science & Technology & Bio Technology Department	Department including Directorates	83	74	9	83	0	0	0	0	0	0	0			
16	Home & Hill Affairs Department	Department	202	192	0	192	0	0	0	0	0	0	0			
		C.E.O., WB	93	93	0	93	0	0	0	0	0	0	0			
		DEO, DD	2	2	0	2	0	0	0	0	0	0	0			
		DEO, COOCH	4	4	0	4	0	0	0	0	0	0	0			
		DEO, MLD	2	2	0	2	0	0	0	0	0	0	0			
		DEO, HWH	7	6	1	7	0	0	0	0	0	0	0			
		DEO, N-24PGS	66	66	0	66	0	0	0	0	0	0	0			
		DEO, BURD	13	13	0	13	0	0	0	0	0	0	0			
		DEO, APD	3	3	0	3	0	0	0	0	0	0	0			
		DEO, BANKURA	2	2	0	2	0	0	0	0	0	0	0			
		DEO, HOOGH	8	8	0	8	0	0	0	0	0	0	0			
		DEO, JALPG	9	9	0	9	0	0	0	0	0	0	0			
		DEO, PURU	6	6	0	6	0	0	0	0	0	0	0			
		DEO, PUR. MED	10	10	0	10	0	0	0	0	0	0	0			
DEO, PAS. MED	2	2	0	2	0	0	0	0	0	0	0					

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Cases Rejected								No. of cases where 1st Appeal has been made u/s 19(1)			Amount of charges collected	Any facts which indicate the effort of the Public Authority to administer and implement the spirit and intention of the Act.
Under Section 8								8(1) (h)	8(1) (i)	8(1) (j)		
8(1) (h)	8(1) (i)	8(1) (j)	U/s 9	U/s 11	U/s 24	Other	Total	8(1) (h)	8(1) (i)	8(1) (j)		
15	16	17	18	19	20	21	22	23	24	25	26	27
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	442	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
2	0	0	0	0	0	4	6	15	0	15	1810	NIL
0	0	0	0	0	0	0	0	0	0	0	60	Appointment of Shri Kaushik Halder, IAS, Commissioner as Appellate Authority of this Department. Appointment of Shri Sanjay Kumar Das, WBCS (Exe.), Deputy Secretary as SPIO of this Dept.
0	0	0	1	0	0	1	2	0	0	0	60	
0	0	0	0	0	0	0	0	61	0	61	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	262	NIL
0	0	0	0	0	0	0	27	0	0	0	410	NIL
0	0	0	0	0	0	0	0	1	0	1	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	8	NIL
0	0	0	0	0	0	0	0	0	0	0	720	Seminar & Training of RTI
0	0	0	0	0	0	0	0	0	0	0	790	Seminar & Training of RTI
0	0	0	0	0	0	0	0	0	0	0	0	Seminar & Training of RTI

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Cases Rejected								No. of cases where 1st Appeal has been made u/s 19(1)			Amount of charges collected	Any facts which indicate the effort of the Public Authority to administer and implement the spirit and intention of the Act.
Under Section 8								8(1) (h)	8(1) (i)	8(1) (j)		
8(1) (h)	8(1) (i)	8(1) (j)	U/s 9	U/s 11	U/s 24	Other	Total	8(1) (h)	8(1) (i)	8(1) (j)		
15	16	17	18	19	20	21	22	23	24	25	26	27
3	0	0	0	0	0	3	6	1	0	1	360	Seminar & Training of RTI
0	0	0	0	0	0	0	0	0	0	0	0	Seminar & Training of RTI
0	0	0	0	0	0	0	0	0	0	0	0	Seminar & Training of RTI
0	0	0	0	0	0	0	0	0	0	0	0	Seminar & Training of RTI
0	0	0	0	0	0	0	0	0	0	0	0	Seminar & Training of RTI
0	0	0	0	0	0	0	0	0	0	0	110	Seminar & Training of RTI
1	0	1	0	0	0	0	2	0	0	0	1110	Seminar & Training of RTI
0	0	0	0	0	0	1	3	1	0	1	0	Every effort is being made to dispose letter within stipulated time frame as per provision of the Act.
0	0	0	0	0	0	18	18	36	1	37	2510	NIL
0	0	0	0	0	0	0	0	0	0	0	90	All RTI application transferred to the DLO & DMEE
8	0	0	0	24	0	40	41	6	6	12	11657	-
0	0	0	0	0	0	0	0	0	0	10	2600	-
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	61	NIL
0	0	0	0	0	0	0	0	0	0	0	3454	NIL
0	0	0	0	0	0	0	0	0	0	0	80	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	2	0	2	426	NIL
0	0	0	0	0	0	0	0	2	0	2	720	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	140	NIL
0	0	0	0	0	0	0	0	0	1	5	0	NIL
0	0	0	0	0	0	2	2	1	1	0	3537	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	20	NIL

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Sl. No.	Name of the Deptt.	Name of the Public Authority (under the jurisdiction)	Total No. of Registered (including those pending at the time of reporting)	No. of cases where access granted			Total No. of registered	Cases Rejected								
				Within 30 days	After 30 days	Total		Deemed Refusal U/s 7(2)	Under Section 8							
									8(1) (a)	8(1) (b)	8(1) (c)	8(1) (d)	8(1) (e)	8(1) (f)	8(1) (g)	
1	2	3	4	5	6	7	8	9	10	11	12	13	14			
		Rishra Muni.	14	10	4	14	0	0	0	0	0	0	0	0		
		Nabadwip Muni.	8	7	1	8	0	0	0	0	0	0	0	0		
		Baranagar Muni.	132	46	22	68	53	0	0	0	0	0	0	0		
		Durgapur, M. Corpn	28	24	4	28	0	0	0	0	0	0	0	0		
		Ranaghat Muni.	20	20	0	20	0	0	0	0	0	0	0	0		
		Dubrajpur Muni.	5	4	1	5	0	0	0	0	0	0	0	0		
		Suri Muni.	14	14	0	14	0	0	0	0	0	0	0	0		
		Santipur Municipality	41	37	4	41	0	0	0	0	0	0	0	0		
		Chakdah Muni.	0	0	0	0	0	0	0	0	0	0	0	0		
		Taki Muni.	3	3	0	3	0	0	0	0	0	0	0	0		
		Kamarhati Muni.	48	48	0	48	0	0	0	0	0	0	0	0		
		Khardah Muni.	20	20	0	20	0	0	0	0	0	0	0	0		
		Madhyamgram Muni.	29	29	0	29	0	0	0	0	0	0	0	0		
		Garulia Muni.	12	11	0	12	0	0	0	0	0	0	0	0		
		Halisahar Muni.	28	23	3	26	2	0	0	0	0	0	0	0		
		WB Valuation board	8	7	1	8	0	0	0	0	0	0	0	0		
		Sainthia Muni.	10	10	10	10	0	0	0	0	0	0	0	0		
		Bongaon Muni.	3	3	0	3	0	0	0	0	0	0	0	0		
		Dinhata Muni.	6	6	0	6	0	0	0	0	0	0	0	0		
		Dum Dum Muni.	13	9	4	13	0	0	0	0	0	0	0	0		
		Arambagh Muni.	43	43	0	43	0	0	0	0	0	0	0	0		
		Diamond Harbour Municipality	13	12	0	12	0	0	0	0	0	0	0	0		
		Birnagar Muni.	28	28	0	28	0	0	0	0	0	0	0	0		
		Egra Muni.	8	6	2	8	0	0	0	0	0	0	0	0		
		Habra Muni.	7	7	0	7	0	0	0	0	0	0	0	0		
		Bansberia Muni.	4	4	0	4	0	0	0	0	0	0	0	0		
		Kurseong Muni.	6	5	1	6	0	0	0	0	0	0	0	0		
		Coochbehar Muni.	46	20	18	38	0	0	0	0	0	0	0	0		
		Uttarpara-Kotrung Muni.	42	42	0	42	0	0	0	0	0	0	0	0		
		N. Barrackpore Muni.	41	18	23	41	0	0	0	0	0	0	0	0		
		Barasat Muni.	17	9	7	16	1	0	0	0	0	0	0	0		
		Alipurduar Muni.	8	3	1	4	4	0	0	0	0	0	0	0		
		Dalkhola Muni.	0	0	0	0	0	0	0	0	0	0	0	0		
		Rajpur-Sonarpur Muni.	51	29	10	39	5	0	0	0	0	0	0	0		
		Midnapore Muni.	88	81	7	88	0	0	0	0	0	0	0	0		
		Memari Muni.	13	11	2	13	0	0	0	0	0	0	0	0		
		Budge Budge Muni.	12	12	0	0	0	0	0	0	0	0	0	0		
		Baruipur Muni.	27	27	0	27	5	0	0	0	1	0	0	0		
		Berhampore Muni.	28	20	4	24	0	0	0	0	0	0	0	0		
		Kalna Muni.	5	2	3	5	0	0	0	0	0	0	0	0		
		Kharagpur Muni.	30	2	17	19	0	0	0	0	0	0	0	0		
		Purulia Muni.	18	18	0	0	0	0	0	0	0	0	0	0		
		Naihati Muni.	2	0	0	0	2	2	0	0	0	0	0	0		
		Dte. of Local Bodies	65	58	0	58	0	0	0	0	0	0	0	0		
		Bhatpara Muni.	139	134	1	134	4	0	0	0	0	0	0	0		

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Cases Rejected								No. of cases where 1st Appeal has been made u/s 19(1)			Amount of charges collected	Any facts which indicate the effort of the Public Authority to administer and implement the spirit and intention of the Act.
Under Section 8								8(1) (h)	8(1) (i)	8(1) (j)		
8(1) (h)	8(1) (i)	8(1) (j)	U/s 9	U/s 11	U/s 24	Other	Total	8(1) (h)	8(1) (i)	8(1) (j)		
15	16	17	18	19	20	21	22	23	24	25	26	27
0	0	0	0	0	0	0	0	0	0	0	140	NIL
0	0	0	0	0	0	0	0	2	0	2	0	NIL
0	0	0	0	4	0	0	4	0	0	0	0	NIL
0	0	0	0	0	0	0	0	1	0	1	0	NIL
0	0	0	0	0	0	0	0	20	0	20	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	88	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	250	NIL
0	0	0	0	0	0	0	0	1	0	1	0	NIL
0	0	0	0	0	0	0	0	0	0	0	170	NIL
0	0	0	0	0	0	0	0	2	0	2	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	30	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	1	0	1	0	NIL
0	0	0	0	0	0	1	1	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	8	0	8	104	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	40	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	132	NIL
0	0	0	0	0	0	0	0	0	0	0	420	NIL
0	0	0	0	0	0	0	0	0	0	0	410	NIL
0	0	0	0	0	0	0	17	0	0	0	170	NIL
0	0	1	0	3	0	0	4	4	4	8	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	5	0	0	0	0	5	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	8250	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	12	12	12	0	12	0	NIL
0	0	10	0	0	0	11	0	0	0	0	250	NIL
0	0	0	0	0	0	0	0	0	0	0	280	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	4	0	4	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	2	2	20	NIL
0	0	0	0	0	0	7	7	17	0	17	0	NIL
0	0	0	0	0	0	0	0	3	0	0	932	NIL

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Cases Rejected								No. of cases where 1st Appeal has been made u/s 19(1)			Amount of charges collected	Any facts which indicate the effort of the Public Authority to administer and implement the spirit and intention of the Act.
Under Section 8								8(1) (h)	8(1) (i)	8(1) (j)		
8(1) (h)	8(1) (i)	8(1) (j)	U/s 9	U/s 11	U/s 24	Other	Total	8(1) (h)	8(1) (i)	8(1) (j)	26	27
0	0	0	0	0	0	0	0	0	0	0	0	-
0	0	0	0	0	0	16	693	32	1	33	5166	Asw and when applications were received, they were teated on urgent basis.
0	0	0	0	0	0	0	10	22	0	22	0	NIL
0	0	0	0	0	0	0	1	0	0	0	0	NIL
0	0	0	0	0	0	6	51	0	0	0	0	NIL
0	0	0	0	0	0	7	418	8	0	8	4890	NIL
0	0	0	0	0	0	0	15	2	1	3	274	NIL
0	0	0	0	0	0	0	9	0	0	0	2	NIL
0	0	0	0	0	0	0	5	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	As and when applications have been received they were treated on urgent basis
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	Public authority always gives utmost importance to impletement the spirit of the act.
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	1	50	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	2	0	0	0	0	NIL
0	0	0	0	0	0	0	2	0	0	0	0	Every stepsm are adopted by this end for proactive disciosures of every possible schemes
0	0	0	0	0	0	0	2	0	0	0	0	NIL

PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Cases Rejected								No. of cases where 1st Appeal has been made u/s 19(1)			Amount of charges collected	Any facts which indicate the effort of the Public Authority to administer and implement the spirit and intention of the Act.
Under Section 8								8(1) (h)	8(1) (i)	8(1) (j)		
8(1) (h)	8(1) (i)	8(1) (j)	U/s 9	U/s 11	U/s 24	Other	Total	8(1) (h)	8(1) (i)	8(1) (j)		
15	16	17	18	19	20	21	22	23	24	25	26	27
0	0	0	0	0	0	0	2	0	0	0	0	NIL
0	0	0	0	0	0	0	2	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	390	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	3310	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	-
0	0	0	0	0	0	0	3	0	0	0	0	-
2	0	0	0	0	0	0	2	15	1	16	41	NIL
0	0	0	0	0	0	0	0	0	1	1	132	NIL
0	0	0	0	0	0	11	11	4	0	4	2110	NIL
0	0	0	0	0	0	0	0	23	0	23	3582	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	10	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	20	Due urgency is attached to dispose of each and every case within the stipulated period as per RTI Act, 2005
0	0	0	0	0	0	0	0	0	0	0	0	deptt. Is putting its utmost effort to provide information to the information seeker
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	54	Intensive sub-division and block level sensitization workshops organised in 2016 calendar year at Kalimpong dist. It may be mentioned that this Department takes effort intensively on top priority for expeditious disposal of applications within stipulated time frame.

PROFORMA - I

(Reporting Period 01.01.2016 to 31.12.2016)

Sl. No.	Name of the Deptt.	Name of the Public Authority (under the jurisdiction)	Total No. of Registered (including those pending at the time of reporting)	No. of cases where access granted			Total No. of registered	Cases Rejected							
				Within 30 days	After 30 days	Total		Deemed Refusal U/s 7(2)	Under Section 8						
									8(1) (a)	8(1) (b)	8(1) (c)	8(1) (d)	8(1) (e)	8(1) (f)	8(1) (g)
1	2	3	4	5	6	7	8	9	10	11	12	13	14		
45	Women & Child Development and Social Welfare Department	Department	63	55	5	60	3	0	0	0	0	0	0	0	
46	Youth Services & Sports Department	Department	12	12	0	12	0	0	0	0	0	0	0	0	
		West Bengal State Council of Sports	6	6	0	6	0	0	0	0	0	0	0	0	
		Vivekananda Yuvabharati Krirangan	0	0	0	0	0	0	0	0	0	0	0	0	
TOTAL			24926	13515	10925	23933	337	5	1	1	5	2	0	0	

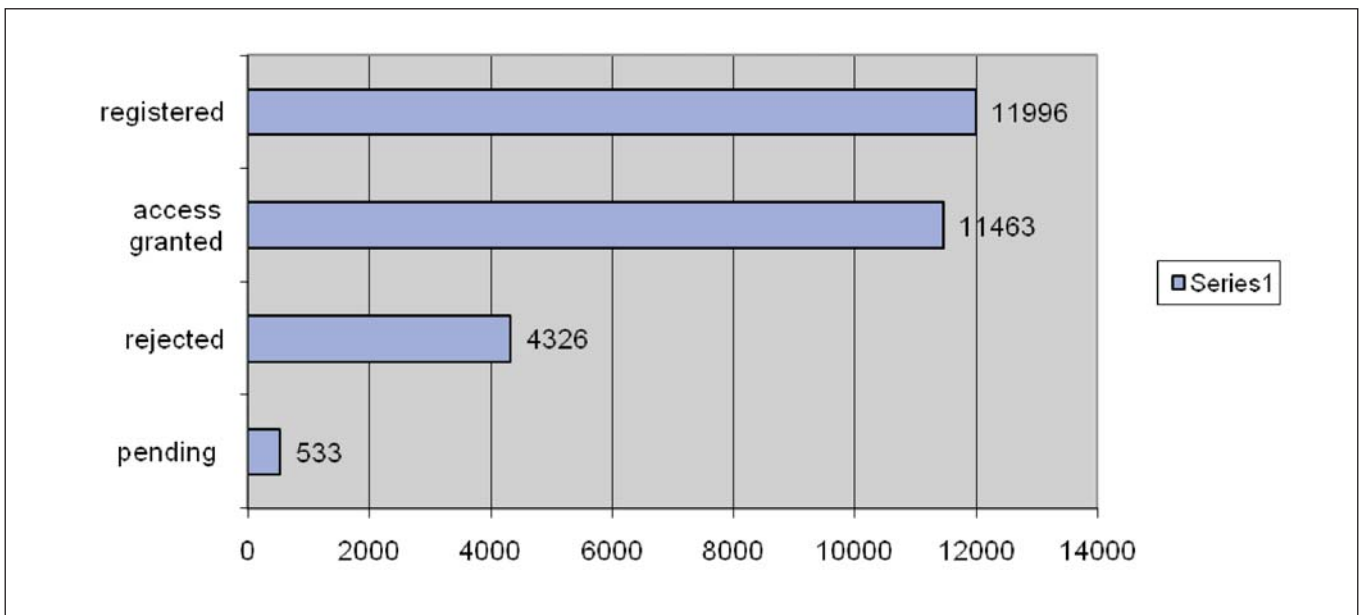
PROFORMA - I
(Reporting Period 01.01.2016 to 31.12.2016)

Cases Rejected								No. of cases where 1st Appeal has been made u/s 19(1)			Amount of charges collected	Any facts which indicate the effort of the Public Authority to administer and implement the spirit and intention of the Act.
Under Section 8								8(1) (h)	8(1) (i)	8(1) (j)		
8(1) (h)	8(1) (i)	8(1) (j)	U/s 9	U/s 11	U/s 24	Other	Total	23	24	25	26	27
0	0	0	0	0	0	1	2	2	0	2	80	NIL
0	0	0	0	0	0	0	0	0	0	0	0	Acted reasonably and deligently. Also rendered all reasonable assistant to the person making the request for information relevant to this Department under the RTI Act.
0	0	0	0	0	0	0	0	0	0	0	0	NIL
0	0	0	0	0	0	0	0	0	0	0	0	NIL
17	0	29	1	31	0	7258	5010	978	72	819	1503769	

2016

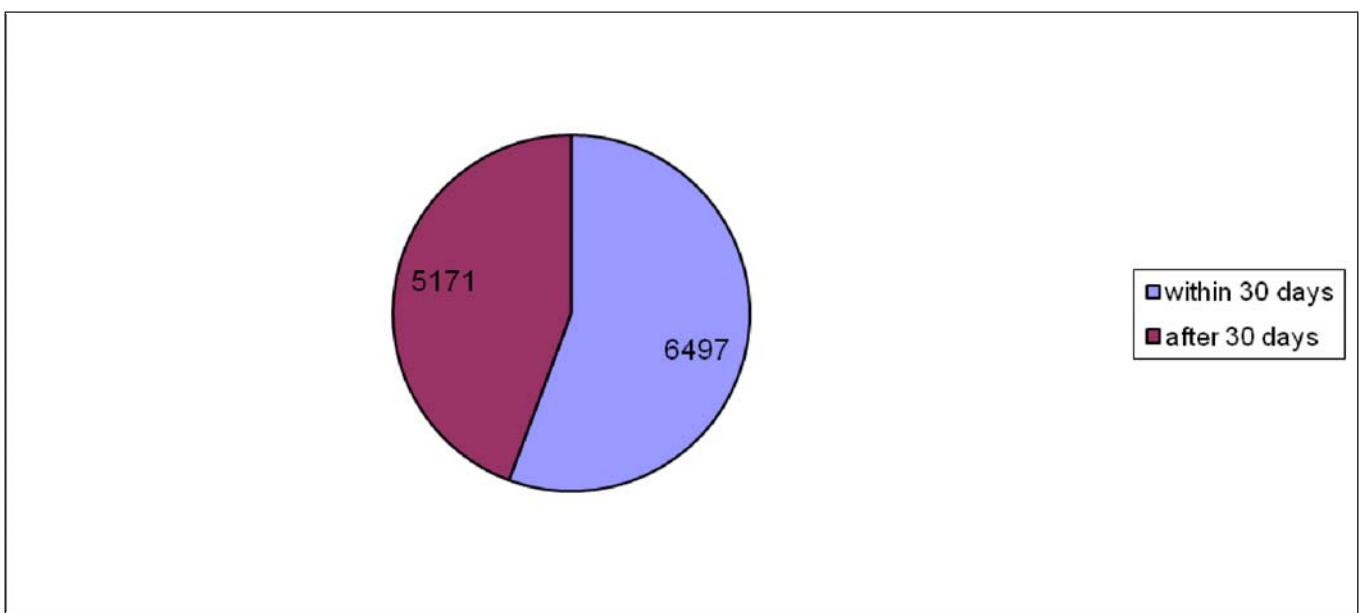
Status of RTI applications filed in the State:

Year	2016
REGISTERED	11996
ACCESS GRANTED	11463
REJECTED	4326
PENDING	533



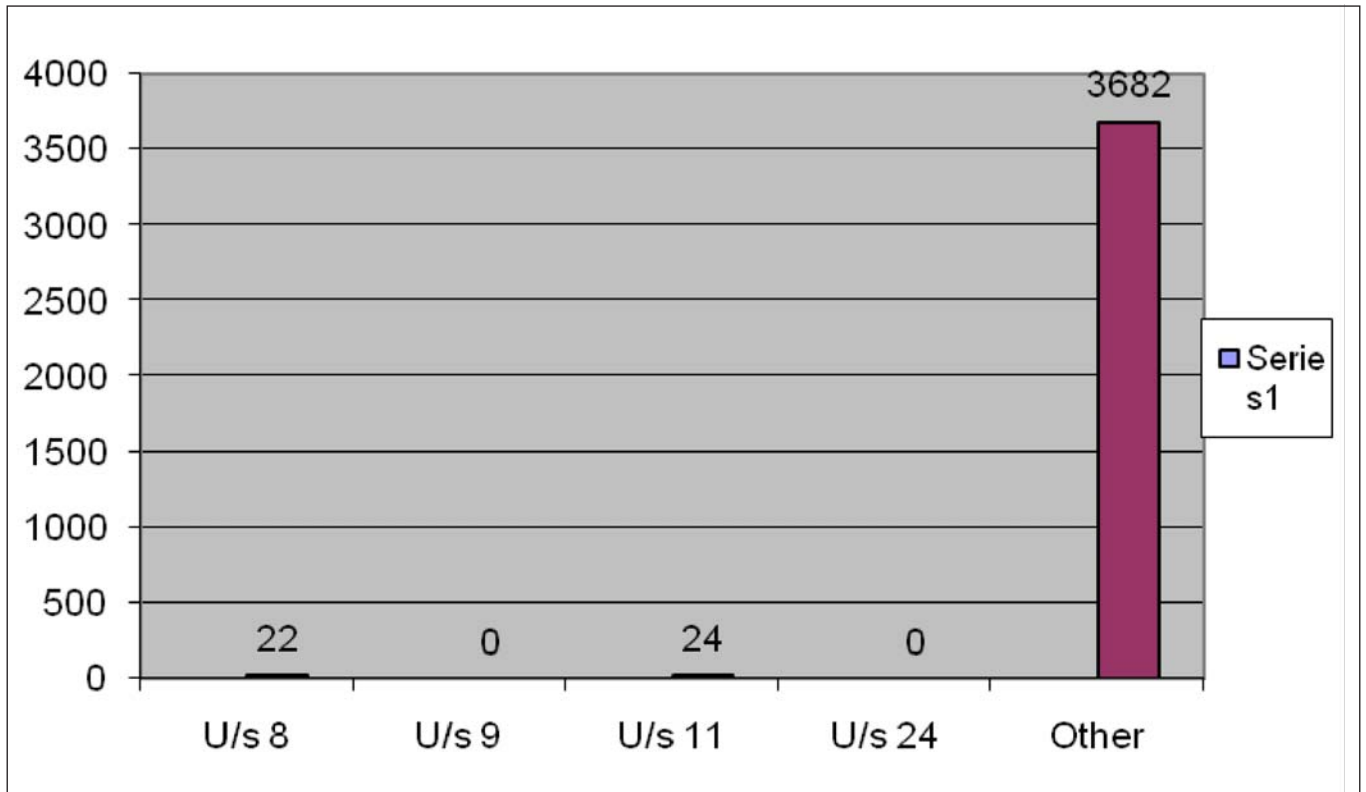
Status of Disposal of RTI Application filed in the State:

Year	2016
WITHIN 30 DAYS	6497
BEYOND 30 DAYS	5171



Status of Disposal of RTI Application filed in the State:

8(1)(a)	8(1)(b)	8(1)(c)	8(1)(d)	8(1)(e)	8(1)(f)	8(1)(g)	8(1)(h)	8(1)(i)	8(1)(j)	9	11	24	Others	Total
1	0	0	0	0	0	0	10	0	11	0	24	0	3682	3728



Unfortunately like previous years some Departments as mentioned below failed to collect information from all the Public Authorities under their jurisdiction, compile the same and send it to the Commission. As a result, a complete and true picture about the number of requests received by the Public Authorities and disposed during the year is not reflected through the above representation. It would be reasonable to conclude that the actual number of requests for information is much higher than what has been reported.

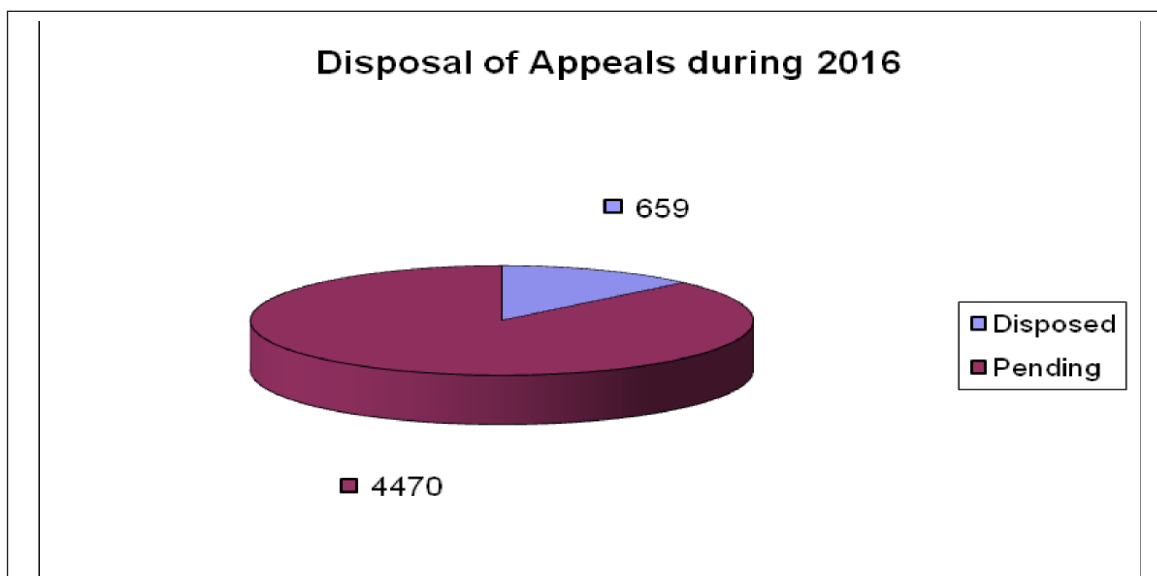
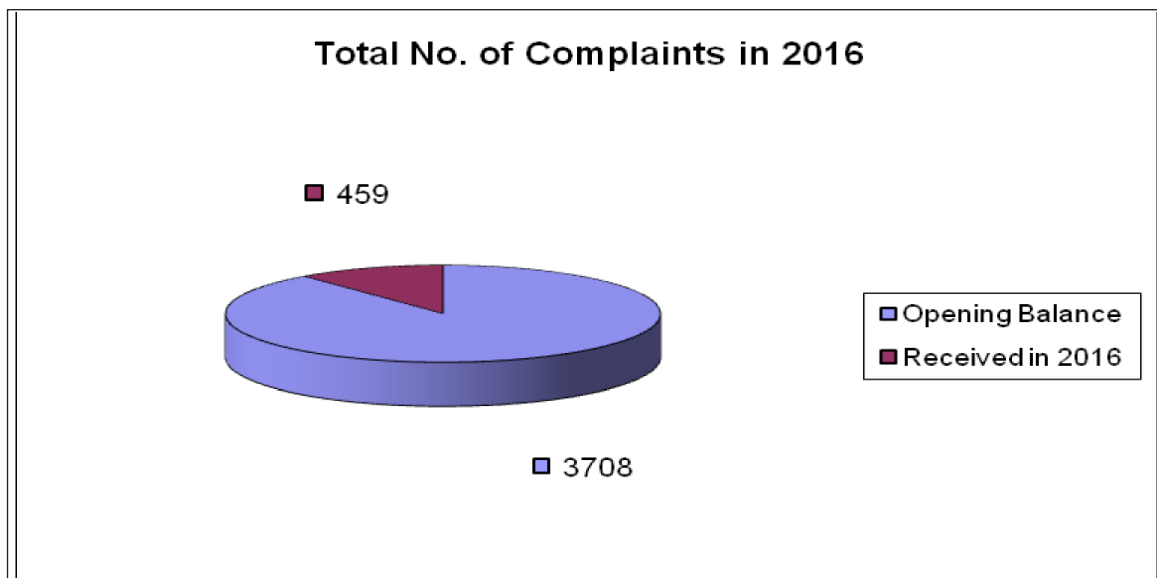
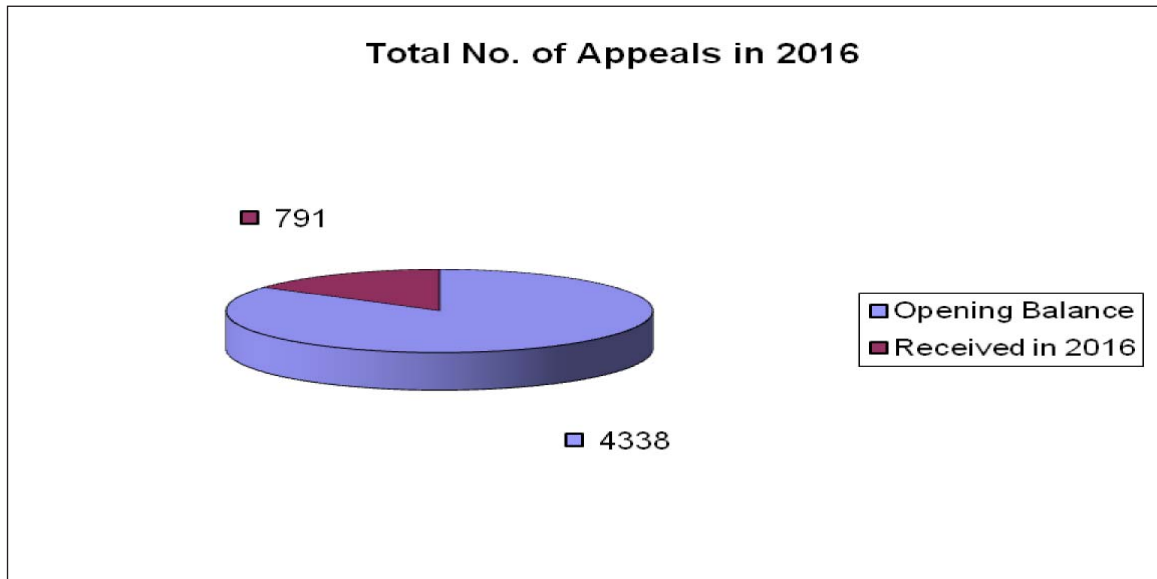
Sl. No.	Name of the defaulting Department
1	Agriculture Marketing
2	Finance
3	Fire & Emergency Services
4	Health & Family Welfare

DISPOSAL OF 2nd APPEALS AND COMPLAINTS IN 2016 in WBIC

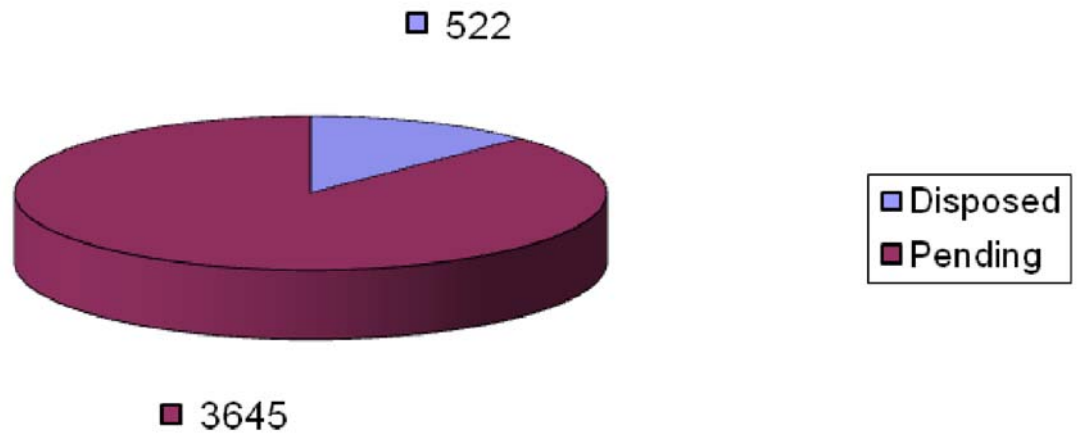
Opening Balance		Received in 2016		Total		Disposed in 2016				Pending							
						Cases of 2016		Cases of Previous Years		Total		Cases of 2016		Cases of Previous Years		Total Pending at the end of 2016	
A	4338	A	791	A	5129	A	92	A	567	A	659	A	699	A	3771	A	4470
C	3708	C	459	C	4167	C	59	C	463	C	522	C	400	C	3245	C	3645
T	8046	T	1250	T	9296	T	151	T	1030	T	1181	T	1099	T	7016	T	8115

Keys of the Abbreviation used

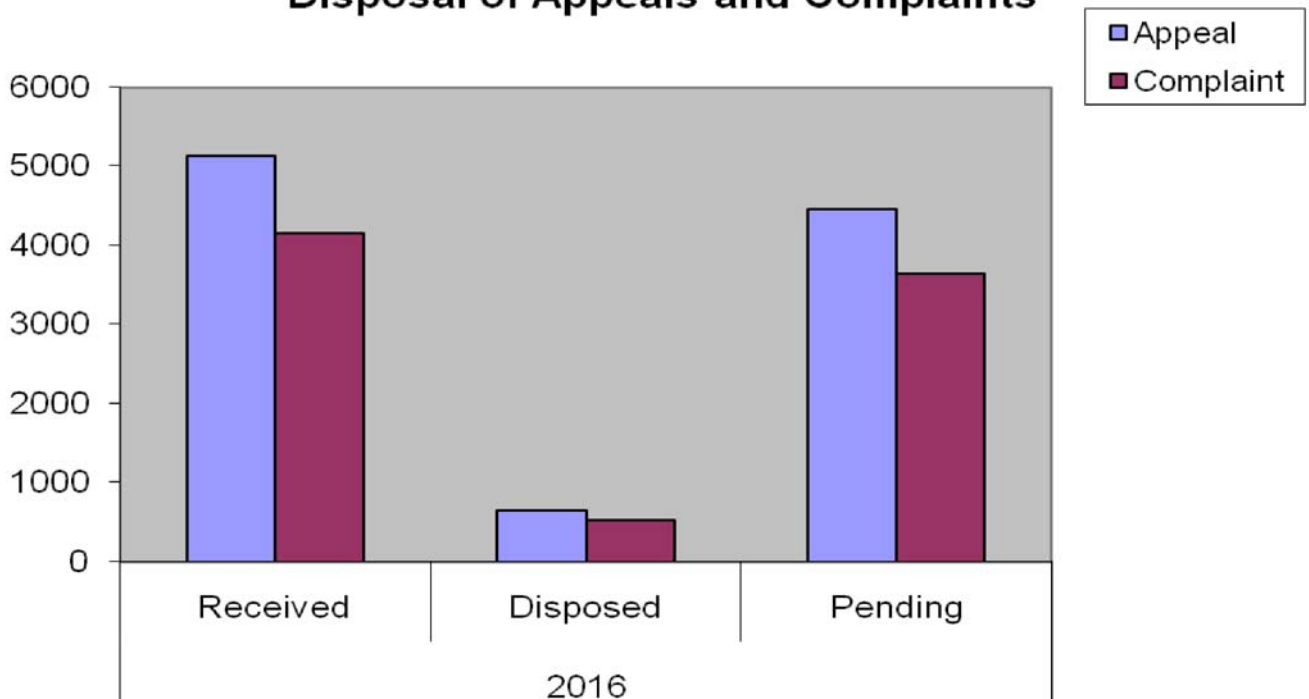
A	Appeal
C	Complaint
T	Total



Disposal of Complaints during 2016



Disposal of Appeals and Complaints



Performance of the Commission during the year 2016 could not bridge the gap between the pendency and disposal of appeals and complaints registered before it mainly because the Commission was having a single Commissioner for a majority of time rendering the Commission defunct upto July 2016 and it started its normal functioning of disposal of appeals and complaints through conducting of hearings only after July 2016 when Shri G.M.P. Reddy joined this Commission as State Information Commissioner.

AWARENESS PROGRAMME

The RTI Act under Section 26 envisages that the Governments would develop and organize awareness programmes on the rights provided under the Act. It is also expected that Public Information Officers would be trained and relevant training materials produced for their use.

DOPT, Govt. Of India has released a grant of Rs. 3 Lakh only to WBIC towards celebration of RTI week during 5th -12th October, 2016 under centrally sponsored scheme on 'Improving transparency & Accountability in Government through Effective Implementation of RTI Act' vide No. 14/7/2016-IR dated 30.06.2016.

The Commission approved proposal for district-wise allocation of fund in respect of 8 districts, out of which District Magistrate, Paschim Medinipur was able to organize the said programme and a sum of Rs. 28,250/- has been sanctioned as reimbursement. An amount of Rs. 25,000/- has been utilized for printing of Annual Report 2015. The remaining amount of Rs. 2,46,750/- has been refunded to DOPT in due course.

RECOMMENDATIONS

The Commission has made several recommendations in its Annual Reports. Many of these recommendations are still relevant but remain unimplemented. The Commission wishes to highlight the following issues while reiterating the earlier recommendations.

1. Strengthening of the Commission

The Commission sent a comprehensive proposal to Government in August, 2014 for reorganizing and strengthening the Commission's set up for its speedy and effective functioning vide No. 1612-WBIC/Admn-01/14 dated 22.08.2014 followed by a reminder vide No. 4219- WBIC/Admn-01/14 dated 19.08.2015. Attention of the Government is drawn for urgent implementation of the proposal. In this regard the Commission has issued reminder to the government in August, 2015 for urgent implementation of the proposal.

2. Reporting by Government Departments for the preparation of Commission's Annual Reports

The Commission is not getting reports from many Departments regularly for preparation of Annual Reports as envisaged in the RTI Act. In almost all cases where reports are received, they are incomplete and do not cover all the Public Authorities under the Department's jurisdiction. In fact, there is no clear information as to the number of Public Authorities under each Department and the number of State Public Information Officers appointed by them and their jurisdiction. In the absence of complete reports from all Departments, the Commission's Annual Reports do not give the total picture regarding implementation of the RTI Act in the state.

3. Publicizing the list of State Public Information Officers and Appellate Authorities

The Commission reiterates its earlier recommendation in this regard and requests Government to publicize the particulars of the State Public Information Officer and Appellate Authority pertaining to each office of a Public Authority on the office notice boards for the benefit of the public.

4. *Suo Motu* disclosure

The Commission reiterates its earlier recommendation that Public Authorities should take steps in accordance with the requirements of section 4(1)(b) of the RTI Act and disclose as much information *suo motu* to the public as possible at regular intervals through the website of the authority so that the public have resort to the use of RTI Act to obtain information, restricted to the minimum.

ANNEXURE 1

SIGNIFICANT ORDERS OF WEST BENGAL INFORMATION COMMISSION

Appeal No. 8551 of 2012

No. 1261 (3) (Order)-WBIC/RTI/119/16

Date: 07 .09. 2016

RTI Applicant : Shri Priyankar Acharya

Public Authority : Finance Department

Date of RTI application : 26.11.10

Date of 1st appeal : 24.01.11

Date of 2nd appeal before the Commission : 16.10.12

Date of hearing : 05.09.16

Present :-

1) Rajsekhar Bandyopadhyay.... Joint Secretary & Appellate Authority , Finance Department

Facts on records

Shri Priyankar Acharya (hereinafter referred to as Appellant) submitted one RTI application on 26.11.10 to the State Public Information Officer, Finance Department seeking an authenticated copy of Service Book of Smt. Malini Nath, Junior Accountant of the Finance Accounts Department. The appellant was informed vide letter dt. 15.12.10 to deposit Rs. 2/- per page for photo copy of Service Book of Smt. Malini Nath without authentication and also to deposit Rs. 5/- for each fifteen minutes or fraction thereof for inspection of records. The appellant preferred 1st appeal on 24.01.11. The Appellate Authority has passed an order on 27.01.11 and directed the Accounts Officer to send the required information directly to the appellant within 30 days from the issue of the letter. The appellant has preferred 2nd appeal to the Commission on 16.10.12.

The Commission decided to hear the 2nd appeal and fixed up the date of hearing on 05.09.16 and also directed the SPIO to submit a written statement by 29.08.16. The SPIO has submitted his report on 29.08.16.

At the time of hearing the Appellate Authority was present. Neither the SPIO nor the appellant was present. SPIO was directed to show cause as to why he did not attend hearing. He has to reply within 10 days of the receipt of this order.

The Commission perused the records and heard the submission of Appellate Authority.

Decision

It is clear from the record that the appellant has not complied with the direction made in Dy. Secretary letter dt 15.12.10. He has not deposited the required fees for getting information.

On the above noted two grounds the Commission rejected the 2nd appeal of the appellant.

Date: 05.09.16

(G. D. Gautama)

State Chief Information Commissioner
West Bengal

Appeal No. - 1658 of 2012

No. 1451 (3) (Order)-WBIC/RTI/137/16

Date: 21 / 09 / 2016

Shri Sadhan Chandra Sen

Vs.

SPIO, P&RD Department

Present :-

1. Shri Sadhan Chandra Sen - Appellant
2. Shri Palash Sengupta - SPIO and Deputy Secretary, P&RD Deptt.

Background:

1. Shri Sadhan Chandra Sen submitted one RTI application on 29.11.2011 under section 6(1) of the Right to Information Act, 2005 to the SPIO and Programme Officer, P&RD Department seeking certain information regarding action taken by the Secretary, P&RD Department in respect of his 3 applications dated 20.7.2011, 16.8.2011 and 20.9.2011 for release of honorarium in respect of his engagement as Abasik Prasikhan Sanchalak (APS) of District Training Centre (DTC) in Purba Medinipur District.
2. Being aggrieved due to non-receipt of any information from the SPIO, the appellant preferred first appeal before the Appellate Authority and Joint Secretary, P&RD Department on 18.1.2012.
3. On 13.2.2012, the appellant was provided the information by the Director and OSD & EO Deputy Secretary, P&RD Department which was again forwarded to the appellant by the Programme Director and SPIO, P&RD Department on 14.2.2012.
4. Not satisfied with the information provided, the appellant preferred second appeal before the Commission on 22.3.2012.
5. The commission decided to hear the 2nd appeal on 21.9.2016.

Decision

At the time of hearing, the Appellate Authority & Joint Secretary, P&RD Department is absent. But he has submitted a prayer on 21.9.2016 to the Commission stating the reasons for his absence which has been accepted by the Commission.

Perused the records and heard the submission of the parties.

From the report of the SPIO dated 7th September, 2016 sent to the Commission, it is evident that the information was already provided to the appellant on 13.2.2012.

The appellant could not convince the Commission as to the information provided being either incorrect or incomplete. In view of the above, the 2nd appeal is rejected and the case is thus closed.

Let the authenticated copies of this order be forwarded to all concerned.

Sd/-

(G. M. P. Reddy)

Date: 21.09.2016

State Information Commissioner West Bengal

Appeal No. - 2036 of 2012**No. 1468 (3) (Order)-WBIC/RTI/188/16****Date: 23 / 09 / 2016****Shri Jyoti Shaw Gond****Vs.****SPIO, University of Kalyani****Present :-**

1. None appeared.

Background:

1. Shri Jyoti Shaw Gond submitted one RTI application on 16.12.11 under section 6(1) of the Right to Information Act, 2005 to the SPIO, University of Kalyani seeking certain information regarding allotment of marks and copy of History 1st and English 1st Paper of Part I examination of the year 2011 and 2010-11;
2. The SPIO and Dy. Registrar, University of Kalyani in turn forwarded the said RTI application to the Controller of Examination, University of Kalyani for sending reply to the appellant.
3. Having not received any information from the SPIO, the appellant preferred first appeal before the Appellate Authority, University of Kalyani on 3.2.2012.
4. Being aggrieved, the appellant preferred second appeal before the Commission on 16.3.2012.
5. The commission decided to hear the 2nd appeal on 23.9.2016.

Decision

At the time of hearing, the SPIO and the Appellate Authority are absent. Hence, they are directed to show cause the reason(s) as to why they did not attend the hearing and also why no action taken report was sent to the Commission as sought vide Notice of Hearing No. 1086 dated 19.8.2016. The reply should be sent within 15 days from the date of receipt of this order.

Perused the records.

From the records, it is seen that the appellant was not provided any information as sought for. Hence, the Commission directs the SPIO and the Appellate Authority to provide the information to the appellant within 4 (four) weeks from the date of receipt of this order under intimation to this Commission.

With the above order, the appeal is thus disposed of.

Let the authenticated copies of this order be forwarded to all concerned.

Date: 23.09.2016

Sd/-
(G. M. P. Reddy)
State Information Commissioner
West Bengal

Appeal No. - 2243 of 2012

No. 1515 -(3) (Order)-WBIC/RTI/253/16

Date: 27 / 09 / 2016

Md. Humayun Khan

Vs.

SPIO, DI of Schools(SE), Bosepukur Road, Kolkata

Present :-

1. Shri Chinmoy Sarkar - SPIO & DI of Schools(SE), Bosepukur Road, Kolkata.

Background:

1. Md. Humayun Khan of 6, Eden Hospital Road, Kolkata - 700 073 submitted one RTI application on 06.01.2011 under section 6(1) of the Right to Information Act, 2005 to the SPIO and DI of Schools(SE), Bosepukur Road, Kolkata seeking copies of documents relating with M. L. Jubilee Institution, 29, Surya Sen Street, Kolkata.
2. DI of Schools(SE), Bosepukur Road, Kolkata forwarded the RTI application to the Headmaster, M. L. Jubilee Institution, 29, Surya Sen Street, Kolkata vide Memo No. 13/M dated 14.01.2011 to provide the information to the appellatant.
3. On 22.02.2011, Headmaster, M. L. Jubilee Institution, Kolkata informed the DI of Schools(SE), Bosepukur Road, Kolkata regarding his inability to provide the information sought for. He also requested the DI of Schools(SE), to provide the same as it is readily available to his office also.
4. Being aggrieved due to non-receipt of any information from the Headmaster M. L. Jubilee Institution and SPIO, Md. Khan preferred first A before the Appellate Authority and Jt. Director of School Education, Salt Lake, Kolkata on 16.03.2011.
5. The Appellate Authority and Jt. Director of School Education, Salt Lake, Kolkata forwarded the RTI application to the DI of Schools(SE), Bosepukur Road, Kolkata vide Memo No. 151-Sc/AIS/RTI dated 18.04.2011.
6. Without getting any information from the first appellate authority and SPIO, the appellatant preferred second A before the Commission on 10.05.2012.
7. The commission decided to hear the appeal on 27.9.2016.

Decision

At the time of hearing, the Appellate Authority and Joint Director of School Education is absent. Hence, he is directed to show cause (s) as to why he did not attend the hearing. The reply should be sent within 15 days from the date of receipt of this order.

The appellatant is also absent.

Perused the records and heard the submission of the SPIO.

During the hearing, the SPIO & DI of Schools(SE), Bosepukur Road, Kolkata expressed regret before the Commission for not sending any action taken report as sought vide Notice of Hearing No. 1116 dated 24.8.2016. He further assures that henceforth this type of lapse will not occur. The Commission accepts the submission of the SPIO.

From the records, it is seen that the information as sought in the RTI was not provided to the appellant.

The SPIO informs the Commission that the RTI application of the appellant was not traceable. Having received the Notice of Hearing of the Commission, efforts were made to collect the information and now his office is ready to provide the complete information to the appellant.

The Commission directs the SPIO & DI of Schools(SE), Bosepukur Road, Kolkata and the Appellate Authority & Joint Director of School Education to provide complete information to the appellant within 4 (four) weeks from the date of receipt of this order under intimation to this Commission.

With the above order, the appal is thus disposed of.

Let the authenticated copies of this order be forwarded to all concerned.

Date: 27 .09.2016

Sd/-
(G. M. P. Reddy)
State Information Commissioner
West Bengal

Appeal No. - 78/55 of 2013

No. 1821 (3) (Order)-WBIC/RTI/224/16

Date: 3 / 11 / 2016

Shri Ahibhusan Chakraborty

Vs.

SPIO, Department of Health and Family Welfare

Present :-

1. Shri Achintya Barman - Assistant Secretary & SPIO, Health & Family Welfare Department and also representative of the Appellate Authority & Secretary, Health & Family Welfare Department
2. Shri Sanjay Kundu -UD Assistant, Health & Family Welfare Deptt.

Background:

Shri Ahibhusan Chakraborty submitted one RTI application on 8.8.2012 under section 6(1) of the Right to Information Act, 2005 to the SPIO, Department of Health and Family Welfare seeking certain information regarding pay protection after final fixation of ROPA, 2009 etc.;

The SPIO and Joint Secretary, Department of Health and Family Welfare forwarded the same to the Joint Secretary, MA Branch with a request to furnish relevant replies for onward transmission to the appellant, a copy of the said letter was also endorsed to the appellant.

Having not received any information, the appellant filed first appeal before the Joint Secretary, Department of Health and Family Welfare for providing information;

Vide Memo No. HF/O/GA/3758/3A-387/12 dated 18th October, 2012, the Appellate Authority forwarded the same to the Assistant Secretary (GA) and SPIO, GA Branch with a request to furnish the information to the appellant without any further delay;

Being aggrieved due to non-receipt of information, the appellant preferred second appeal before the Commission on 16.1.2013.

The commission decided to hear the appeal on 3.11.2016.

Decision

The appellant did not attend the hearing. The Appellate Authority has authorized SPIO to attend the hearing. Perused the records and heard the submission of the SPIO.

During the hearing, the SPIO submitted action taken report dated 2.11.2016 to the Commission.

On perusal of the report, it is seen that the appellant has still not been provided any information after lapse of more than 5 years. This is not at all satisfactory.

Hence, the Commission directs the SPIO and the Appellate Authority to provide the information to the appellant within 4 (four) weeks from the date of receipt of this Order under intimation to the Commission.

The Commission also takes note of the fact that the SPIO and the Appellate Authority have not supplied the information within the statutory period. Hence, they are advised to, henceforth, ensure that RTI applications are given due importance and information is supplied within the statutory period.

Let the authenticated copies of this order be forwarded to all concerned.

Date: 3.11.2016

Sd/
(G. M. P. Reddy)
State Information Commissioner
West Bengal

Appeal No. - 2633 of 2012

No. 2182 (3) (Order)-WBIC/RTI/763/16

Date: 28/11/2016

Shri Indrajit Porel

Vs.

SPIO & Head Master, Shimurali Upendra Bidyabhavan (HS)**Present :-**

1. Shri Tripan Ghosh - SPIO & Teacher-in-Charge, Shimurali Upendra Bidyabhavan (HS)

Background:

Shri Indrajit Porel submitted one RTI application on 27.12.2011 under section 6(1) of the Right to Information Act, 2005 to the SPIO & Head Master, Shimurali Upendra Bidyabhavan (HS) seeking information which is related with the said school viz. copy of the resolution of the meeting of the Managing Committee of the school etc. along with other information.

Having not received any information, the appellant preferred first appeal before the Appellate Authority and DI (SE), Nadia on 3.2.2012;

Being aggrieved due to non-receipt of any information, the appellant preferred second Appeal before the Commission on 12.4.2012.

The Commission vide letter dated 28.9.2016 directed the SPIO and the Appellate Authority to submit action taken report. But they have failed to submit the same.

Accordingly, the Commission decided to hear the A on 28.11.2016.

Decision

The Appellate Authority did not attend the hearing. He is directed to show cause the reason as to why he did not attend the hearing within 15 days from the date of receipt of the Order. The SPIO and the Appellate Authority are also directed to explain within 15 days from the date of receipt of the Order as to why no action taken report was sent to the Commission as asked for vide letter dated 28.9.2016.

The appellant also did not attend the hearing. But he sent a mail requesting to fix another date as he was not in position to attend the hearing on 28.11.2016 due to compulsory attendance in his office on this day as per the Finance Department circular. The Commission rejected the submission of the appellant as attending the hearing also will be construed as attending to duty.

Perused the records and heard the submission of the SPIO.

From the records, it is evident that no information has been provided to the appellant.

The Commission directs the SPIO and the Appellate Authority to provide the information to the appellant within 4 (four) weeks from the date of receipt of this Order under intimation to the Commission.

The Commission also takes note of the fact that the SPIO and the Appellate Authority have not supplied the information within the statutory period. Hence, they are advised to, henceforth, ensure that RTI applications are given due importance and information is supplied within the statutory period.

With the above order, the case is thus disposed of.

Let the authenticated copies of this order be forwarded to all concerned.

Date: 28.11.2016

(G. M. P. Reddy)
State Information Commissioner
West Bengal

Appeal No. - 2937 of 2012

No. 2234 (4) (Order)-WBIC/RTI/525/16

Date: 30/11/2016

Smt. Firoza Khatun
Vs.
SPIO, District Primary School Council, North 24-Parganas

Present :-

1. Firoza Khatun - Appellant;
2. Shri Sanjit Kr. De - Joint Secretary, School Education Deptt.
3. Md. Abdul Hai - ADI (S) (PE), North 24-Parganas - representative of the Appellate Authority & DI (SE), North 24-pgns;
4. Shri Samrat Chatterjee - SPIO & Chairman, District Primary School Council, North 24- Parganas.
5. Smt. Setu Das Roy - Advocate - representative of the Appellant

Background:

Smt. Firoza Khatun submitted one RTI application on 20.3.2012 under section 6(1) of the Right to Information Act, 2005 to the SPIO, District Primary School Council, North 24-Parganas seeking information regarding appointment in the post of Assistant Teacher of Primary School for which the written examination was held on 14.2.2010;

Having not received any information, the appellant preferred first appeal before the Appellate Authority and Secretary, Education Department (Primary) on 9.5.2012;

Being aggrieved due to non-receipt of any information, the appellant preferred second A before the Commission on 22.6.2012.

The SPIO and the Appellate Authority were directed to submit an action taken report in this regard vide letter dated 9.9.2016. But they did not submit any report.

The Commission decided to hear the A on 30.11.2016.

Decision

Perused the records and heard the submission of the parties.

At the time of hearing, the appellant informs that she has received a reply and a copy of which was shown during the hearing. The Commission takes note of the same.

The Advocate on behalf of the appellant further submits that the replies in respect of query Nos. 5, 6 and 7 are vague and seeks specific and correct information. The Commission accepts the contention of the representative of the appellant and orders the SPIO to provide complete information on those points within 4 (four) weeks from the date of receipt of this order under intimation to the Commission. The Appellate Authority is also directed to ensure compliance of the same.

With the above order, the case is thus disposed of.

Let the authenticated copies of this order be forwarded to all concerned.

Sd/-

Date: 30.11.2016

(G.M.P.Reddy)
State Information Commissioner
West Bengal

**Appeal No. 1439/16, 1440/16, 1441/16, 1506/16,
1508/16, 1510/16, 3721/15, 3722/15 & Complaint No. 1509/16**

No. 2445-1/(3)-(Order)-WBIC/RTI/1439/16, 1440/16, 1441/16,
1506/16, 1508/16, 1510/16, 3721/15, 3722/15, 1509/16

Date: 16.12. 2016

RTI Applicant : Dr. Nazrul Islam

Public Authority : Home Department

Date of hearing : 14.12.2016

Present :-

- 1) Dr. Nazrul Islam Appellant
- 2) Swapan Kr. Pal ... Addl. Secy. & SPIO, Home Department
- 3) S. BhattacharyaySection Officer, Home (RTI) Department

Facts on records

While disposing W.P. No. 27355 (W) of 2012 (Dr. Nazrul Islam Vs. State of West Bengal & Others) Hon'ble Justice Arijit Banerjee has been pleased to direct the Commission to dispose of the petitioner's 2nd As & Complaint pending before it within a period of 2 months from the date of communication of order. In compliance of the order of the Hon'ble Court the Commission fixed hearing in respect of following 2nd As & complaint of the petitioner.

No. 1 - 2nd Appeal dt. 13.08.2010 against his RTI application dt. 18.05.2010 addressed to the SPIO & Deputy Secretary, (Home) RTI Department, Govt. of West Bengal and date of hearing 14.12.2016.

No. 2 - 2nd Appeal dt. 21.08.2012 against his RTI application dt. 20.04.2012 addressed to the SAPIO, Home (Police) Department, Govt. of West Bengal and date of hearing 14.12.2016.

No. 3 - 2nd Appeal dt. 21.08.2012 against his RTI application dt. 17.04.2012 addressed to the SPIO & OSD (EO) Deputy Secretary, Home (Political) Department, Govt. of West Bengal and date of hearing 14.12.2016.

No. 4 - 2nd Appeal dt. 21.08.2012 against his RTI application dt. 17.04.2012 addressed to the SAPIO & Assistant Secretary, Home Department, Govt. of West Bengal and date of hearing 14.12.2016.

No. 5 - Complaint dt. 25.11.2010 against his RTI application dt. 18.05.2010 addressed to the SPIO & Deputy Secretary, Home (RTI) Department, Govt. of West Bengal and date of hearing 14.12.2016.

No. 6 - 2nd Appeal dt. 26.10.2012 against his RTI application dt. 22.08.2012 addressed to the SPIO & OSD & EO Deputy Secretary, Home (Police) Department, Govt. of West Bengal and date of hearing 15.12.2016.

No. 7 - 2nd Appeal dt. 07.06.2013 against his RTI application dt. 08.03.2013 addressed to the SPIO & OSD & EO Joint Secretary, Home Department, Govt. of West Bengal and date of hearing 15.12.2016.

No. 8 - 2nd Appeal dt. 05.06.2013 against his RTI application dt. 08.03.2013 addressed to the SPIO & OSD & EO Joint Secretary, Home Department, Govt. of West Bengal and date of hearing 15.12.2016.

No. 9 - 2nd Appeal dt. 06.06.2013 against his RTI application dt. 12.03.2013 addressed to the SPIO & OSD & EO Joint Secretary, Home Department, Govt. of West Bengal and date of hearing 15.12.2016.

Against 2nd Appeal mentioned in Point No. 1 to 5, the Commission has fixed date of hearing on 14.12.2016 and in respect of rest four date of hearing was fixed on 15.12.2016. However, hearing of all 9 cases took place on 14.12.2016 with the consent of Public Authorities as well as Appellant. The SPIO has submitted a combined action taken report in respect of all 9 cases on 6th December, 2016.

Decision

The Appellate Authority did not attend the hearing. The Commission directed the 1st Appellate Authority to explain within three weeks as to why he abstained from the hearing.

During the course of the hearing the SPIO mentioned that some RTI petitions of the appellant were disposed of by them and some were transferred. He further mentioned that the office of the Home Department was shifted from Writers' Buildings to NABANNA which caused some dislocation relating to tracing of relevant files.

However, the SPIO undertook to furnish the information to the appellant. The Commission directed the SPIO Home Department to furnish information as sought for in 9 RTI applications dealt herewith within 3 three weeks from the receipt of the copy of the order under intimation to this Commission. At the time of hearing it was also submitted that apart from these 9 petitions there are few more RTI applications which have been pending before the Home Department. The SPIO Home Department was further directed to trace out these RTI applications and furnish information within 6 (six) weeks from the receipt of copy of order.

Thus the appeal is disposed of.

Date: 14.12.16

(G. D. Gautama)
State Chief Information Commissioner
West Bengal

Appeal No. - 3428/2924/371A of 2013**Date of hearing: 20.12.2016 at 11.45 hrs.****No. 2487 (3) (Order)-WBIC/RTI/1525/16****Date: 20/12/2016**

Shri Dilip Kr. Chakroborty
Vs.
SPIO, Baruipur Municipality

Present :-

1. Shri Dilip Kr. Chakroborty - Appellant;

Background:

Shri Dilip Kumar Chakroborty submitted one RTI application on 4.3.2013 under section 6(1) of the Right to Information Act, 2005 to the SPIO, Baruipur Municipality seeking information regarding allotment of houses to the beneficiaries under BSUP Phase II Scheme of Ward No. 6 of Baruipur Municipality and also list of names of the beneficiaries in whose names the houses have already been constructed and / or under construction under the said scheme.

The concerned SPIO vide letter dated 5.4.2013 informed that his request has been set aside in accordance with Provisions of RTI Act in Section 8(1)(j).

Not satisfied with the reply of the SPIO, the appellant preferred 1st appeal before the Appellate Authority, Baruipur Municipality on 19.4.2013.

The Appellate Authority vide letter 20.5.2013 informed the appellant that the decision as taken by the SPIO remain unchanged.

Being dissatisfied, the appellant preferred second appeal before the Commission on 19.6.2013.

The Commission decided to hear the appeal on 20.12.2016.

Decision

The SPIO and the Appellate Authority did not attend the hearing. They are directed to show cause the reason as to why they did not attend the hearing within 15 days from the date of receipt of the Order. The SPIO is also directed to explain within 15 days from the date of receipt of the Order as to why no action taken report was sent to the Commission as asked for vide hearing notice No. 2215 dated 29.11.2016.

Perused the records and heard the submission of the Appellant.

It is seen that the Public Authority has informed the Appellant vide letters dated 5.4.2013 and 20.5.2013 that he is not entitled for the information sought for as per the provisions of the RTI Act. During the hearing, the appellant also submitted that he has been wrongfully denied information under provision contained in Section 8 (1)(j) of the RTI Act.

The Commission is of the opinion that the information sought by the appellant is not covered under any exempted category in RTI Act and hence, the SPIO and the Appellate Authority are directed to provide the required information to the appellant within 4 (four) weeks from the date of receipt of this order under intimation to the Commission.

With the above order, the case is thus disposed of.

Let the authenticated copies of this order be forwarded to all concerned.

Date: 20.12.2016

(G.M.P.Reddy)
State Information Commissioner
West Bengal

Appeal No. - 4619 of 2012

Date of hearing: 20.12.2016 at 11.30 hrs.

No. 2488 (3) (Order)-WBIC/RTI/1487/16

Date: 20/12/2016

**Smt. Samita Ghosh
Vs.
SPIO, Directorate of School Education**

Present :-

1. Smt. Samita Ghosh - Appellant;
2. Shri Manoranjan Roy - Appellate Authority & Joint Director, School Education, West Bengal
3. Shri Amiya Ranjan Sanyal - SPIO & Deputy Director, School Education, West Bengal

Background:

Smt. Samita Ghosh submitted one RTI application on 8.9.2012 under section 6(1) of the Right to Information Act, 2005 to the SPIO & Deputy Director, Directorate of School Education seeking information regarding enjoyment of additional increments twice in her whole service period as Headmistress of a non-Govt. sponsored School etc.

Having not received any information, the appellant preferred first appeal before the Appellate Authority and Joint Director (MM), Directorate of School Education on 21.5.2012;

The Appellate Authority vide letter 10.7.2012 provided information to the appellant.

Being dissatisfied, the appellant preferred second appeal before the Commission on 17.8.2012.

The Commission decided to hear the A on 20.12.2016.

Decision

Perused the records and heard the submission of the parties.

The SPIO and Deputy Director, Directorate of School Education sent action taken report dated 13.12.2016 to the Commission.

From the report of the SPIO dated 13.12.2016 as well as from the Appellate Authority dated 10.7.2012, it is seen that specific information as sought for by the appellant has not been provided.

Hence, the Commission directs the SPIO and the Appellate Authority to provide specific information by quoting and enclosing the relevant order / rule regarding the entitlement or otherwise of the applicant for 2 additional increments, to the appellant within 4 (four) weeks from the date of receipt of this order under intimation to the Commission.

The SPIO prays unqualified apology before the Commission for not providing the information in time and it is accepted. However, the Commission further directs the SPIO and Appellate Authority to, henceforth, ensure that RTI applications are given due importance and information is supplied within the statutory period.

With the above order, the case is thus disposed of.

Let the authenticated copies of this order be forwarded to all concerned.

Date: 20.12.2016

(G.M.P.Reddy)
State Information Commissioner
West Bengal

A) West Bengal Right to Information Rules, 2006

ANNEXURE 2

RIGHT TO INFORMATION RULES

RTI Rules

Regd No. WB/SC-320

No. Wb/CPS//Raj-11(Part I)/2007

Extraordinary **Published by Authority**

[KARTIKA - 8] WEDNESDAY, MARCH 29, 2006 [SAKA 1927]

PART I - Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury etc.

GOVERNMENT OF WEST BENGAL

Personnel & Administrative Reforms Department
Administrative Reforms Cell.

NOTIFICATION

No. I 57-PAR (AR) ~ 10th March, 2006- In exercise of the power conferred by sub-section(1) read with sub-section (2) of Section 27 of the Right to Information Act, 2005 (22 of 2005), the Governor is pleased hereby to make the following rules, namely :-

Rules

1. Short title and commencement -

- (1) These rules may be called the West Bengal Right to Information Rules, 2006.
- (2) They shall come into force on the date of their publication in the Official Gazzate.

2. Definitions:-

- (1) In these rules, unless the context otherwise requires, -
 - (a) "Act" means the Right to Information Act, 2005 (22 of 2005);
 - (b) "Commission" means the West Bengal Information Commission;
 - (c) "Registrar" means the Registrar of the Commission;
 - (d) "Section" means section of the Act;
 - (e) "State Government" means the Government of West Bengal.
- (2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as respectively assigned to them in the Act.

3. Application fee -

An application containing a request in writing to the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, made under sub-section (l) of Section 6 for obtaining information, shall be accompanied with a court-fee of rupees ten.

4. Fee for providing information -

Save as otherwise provided in the provision to sub-section (5) of Section 7, the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, shall provide Information under sub-section (l), and sub-section (5), of Section 7 upon receipt or a request under Section 6, on payment of a fee of –

- (a) rupees two, for each page (in A-4 or A-3 size paper) created or copied; or
- (b) actual charge or cost price, for a copy in large size paper; or
- (c) actual cost price, for sample or model; or
- (d) rupees five for each fifteen minutes or fraction thereof, for inspection of records; or
- (e) rupees fifty per diskette or floppy, for information provided in the diskette or floppy; or
- (f) actual charge fixed for publication or rupees two per page of photocopy for extracts there from for information provided in printed form.

5. Contents of Appeal to Commission under sub-Section (3) of Section 19 -

An appeal to the Commission under sub-section (3) of Section 19, shall contain the following information, namely:–

- (a) Name and address of the applicant;
- (b) Name and address of the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, who passed the order;
- (c) Particulars of the order against which the Appeal is made including its number and date;
- (d) Brief facts of the case;
- (e) Prayer or relief sought for by the appellant;
- (f) Grounds for such prayer relief; and
- (g) Verification by the appellant

6. Documents to accompany Appeal to Commission under sub-section (3) of Section 19 -

Every appeal made to the Commission shall be accompanied by the following documents, namely:-

- (a) the attested true copy of the order against which the appeal is being preferred;
- (b) the copies of the documents relied upon by the appellant and referred to in the appeal; and
- (c) an index of the documents referred to in the appeal.

7. Procedure in deciding appeal to Commission under sub-section (30 of Section 19) -

(1) In deciding the appeal to the commission, the commission shall :-

- (a) Hear, oral or written, evidence on oath or on affidavit from the concerned or interested person;
- (b) Peruse or inspect documents, public records or copies thereof.
- (c) Enquire through the authorized officer for further details or facts;
- (d) Hear the State Public Information Officer or the State Assistant Public Information Officer or such officer who decided the first appeal mentioned in sub-section (l) of Section 19, as the case may be;
- (e) Hear the third party if required; and
- (f) Receive evidence on "affidavits from State Public information Officer or the State Assistant Public Information Officer or such officer who decided the first appeal mentioned in sub-section (l) of Section 19 or from the third party; if any

1. Service of notice by Commission -

The notice required to be issued under sub-section (9) of Section 19, by the Commission may be served in any of the following modes, namely:—

- (a) service by the party itself;
- (b) service by hand delivery through the process server;
- (c) service by the registered post with due acknowledgement;
- (d) service through the head of office or the Department;

2. Signing of order -

The order of the Commission pronounced in open proceedings shall be in writing and authenticated by the Registrar or any other officer authorized by the Commission in this behalf.

3. Terms and conditions of officers and other employees of Commission -

The officers and other employees of the Commission shall be placed on deputation from the State Government on the usual terms and conditions.

By order of the Governor,
Sd/- Trilochon Singh,
Pr. Secretary to the Govt. of West Bengal

B) Amendment in West Bengal Right to Information Rules 2006

Regd. No. WB/SC-320

No. WB/CPS/Raj-98(Part I)/2008

The



Kolkata **Gazette**

सत्यमेव जयते

Extraordinary
Published by Authority

KARTIKA 20]

TUESDAY, NOVEMBER 11, 2008

[SAKA 1930

PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL**Department of Personnel & Administrative Reforms**

Administrative Reforms Cell

BLOCK-IV, 2ND FLOOR, WRITERS' BUILDINGS

KOLKATA-700 001

NOTIFICATION

No. 724-PAR(AR)/O/3M-29/2005 Pt. VI-17th October, 2008.— In exercise of the power conferred by sub-section (I), read with sub-section (2), of section 27 of the Right to Information Act, 2005, the Governor is pleased hereby to make the following amendments in the West Bengal Right to Information Rules, 2006 (hereinafter referred to as the said rules) :-

Amendments

In the said rules,—

(1) rule 3 shall be renumbered as sub-rule (1) of rule 3, -

- (a) in sub-rule (1) so renumbered, for the words “a court-fee of rupees ten.”, *substitute* the words, letters and brackets ‘a court-fee of rupees ten or a non-Judicial Stamp paper of rupees ten, or by Demand Draft or Bankers Cheques or Indian Postal Order, payable in favour of “ (name of the link bank) a/c Government of West Bengal, RTI ACT”.’;

(b) after sub-rule (1), *insert* the following sub-rules :-

‘(2) An applicant while sending a request for information by e-mail shall deposit the application fee of rupees ten by Demand Draft or by Bankers Cheques or by Indian Postal Order, payable in favour of “ (name of the link bank) a/c Government of West Bengal, RTI ACT”, mentioning the particulars of such deposit to the Public Information Officer in such e-mail and on receipt of said information, the Public Information Officer shall process such request for providing such information :

Provided that such information as sought for shall not be delivered to the applicant unless the requisite amount of application fee has been received by the Public Information Officer by Demand Draft or Bankers Cheques or Indian Postal Order, as the case may be.

(3) The Public Information Officer shall, after receiving Demand Draft or Bankers Cheques or Indian Postal Order under sub-rule (2), arrange to remit the fee to such authorised branches of the Public Bank linked with the Treasury as mentioned in Appendix 3 to the West Bengal Treasury Rules, 2005, by the next working day in T. R. Form No. 7 under the Head of Account and Head Code mentioned in column (1) and column (2) against serial Nos. 1 and 2 respectively, of the Table below :-

Sl. No.	Particulars	Details
(1)	(2)	(3)
1.	Head of Accounts	“0070-Other Administrative Services-60-Other Services-800-Other Receipts including census-021-Collection of Fees from Information Seeker for the purpose of servicing information-27-Other Receipts”
2.	Head Code	“00706080002127”:

Provided that the applicant may deposit such application fee under the above head of accounts directly through the concerned bank linked with Treasury and shall produce the receipted challan to the Public Information Officer.’;

(2) rule 4 shall be renumbered as sub-rule (1) of rule 4, after sub-rule (1) so renumbered, *insert* the following sub-rules :-

‘(2) The fee as mentioned in clause (a) to clause (f) of sub-section (1) shall be deposited to the officer to be designated by the concerned Department of the State Government in this behalf, either by Demand Draft or Bankers Cheque or Indian Postal Order payable in favour of “ (name of the link bank) a/c Government of West Bengal, RTI ACT”,

(3) The Public Information Officer shall, after receiving Demand Draft or Bankers Cheque or Indian Postal Order, as the case may be, as mentioned in sub-rule (2), arrange to remit the fee to such authorised branches of the Public Bank linked with the Treasury as mentioned in Appendix 3 to the West Bengal Treasury Rules, 2005, by the next working day in T. R. Form No. 7 under the Head of Account and Head Code mentioned in column (1) and column (2) against serial Nos. 1 and 2 respectively, of the Table below :-

Sl. No.	Particulars	Details
(1)	(2)	(3)
1.	Head of Accounts	“0070-Other Administrative Services-60-Other Services-800-Other Receipts including census-021-Collection of Fees from Information Seeker for the purpose of servicing information-27-Other Receipts”
2.	Head Code	“00706080002127”:

Provided that the applicant may deposit such fees under the above head of accounts directly through the concerned bank linked with the Treasury and shall produce the receipted challan to the Public Information Officer.’;

(3) In rule 5,-

(a) for clause (c), *substitute* the following clause :-

“(c) self-attested photocopy of the order of an officer to whom appeal has been preferred under sub-section (1) of section 19 of the Act;”;

(b) for clause (d), *substitute* the following clause :- “(d) gist of the information sought for;”;

(c) for clause (e), *substitute* the following clause :- “(e) grounds for appeal and the relief sought for;”;

(d) *omit* clause (f);

(e) *omit* clause (g).

By order of the Governor,

(Sk. Nurul Haque)

Principal Secretary to the Government of West Bengal.

C) The Calcutta High court (Right to Information) Rules, 2006

Regd. No. WB/SC-320

No. WB/CPS/K-129(Part I)/2006

The



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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Personnel And Administrative Reforms Department
Administrative Reforms Cell

NOTIFICATION

No. 157-PAR (AR) - 10th March, 2006 — in exercise of the power conferred by sub-section (1) read with sub-section (2) of Section 27 of the Right to Information Act, 2005 (22 of 2005), the Governor is pleased hereby to make the following rules, namesy :—

Rules

- 1. Short title and commencement—** (1) These rules may be called the West Bengal Right to Information Rules, 2006.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions —** (1) In these rules, unless the context otherwise requires.
 - (a) “Act” means the Right to Information Act, 2005 (22 of 2005);
 - (b) “Commission” means the West Bengal Information Commission;
 - (c) “Registrar” means the Registrar of the Commission;
 - (d) “Section” means section of the Act;
 - (e) “State Government” means the Government of West Bengal.
 (2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as respectively assigned to them in the Act.
- 3. Application fee —** An application containing a request in writing to the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, made under sub-section (1) of Section 6 for obtaining information, shall be accompanied with a court-fee of rupees ten.
- 4. Fee for providing information—** Save as otherwise provided in the proviso to sub-section (5) of Section 7, the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, shall provide information under sub-section (1), and sub-section (5), of Section 7 upon receipt of a request under Section 6, on payment of a fee of—

- (a) rupees two for each page (in A-4 or A-3 paper) created or copied ; or
 (b) actual charge or cost price, for a copy in large size paper; or
 (c) actual cost price, for sample or model; or
 (d) rupees five for each fifteen minutes or fraction thereof, for inspection of records; or
 (e) rupees fifty per diskette or floppy, for information provided in the diskette or floppy; or
 (f) actual charge fixed for publication or rupees two per page of photocopy for extracts therefrom, for information provided in printed form.
- 5. Contents of appeal to Commission under sub-section (3) of Section 19** — An appeal to the Commission under sub-section (3) of Section 19, shall contain the following information, namely:—
- (a) name and address of the applicant;
 (b) name and address of the State Public Information Officer or the State Assistant Public Information Officer, as the case may be, who passed the order;
 (c) particulars of the order against which the appeal is made including its number and date;
 (d) brief facts of the case;
 (e) prayer or relief sought for by the appellant;
 (f) grounds for such prayer or relief; and
 (g) verification by the appellant.
- 6. Documents to accompany appeal to Commission under sub-section (3) of Section 19** — Every appeal made to the Commission shall be accompanied by the following documents, namely:—
- (a) the attested true copy of the order against which the appeal is being preferred;
 (b) the copies of documents relied upon by the appellant and referred to in the appeal; and
 (c) an index of the documents referred to in the appeal.
- 7. Procedure in deciding appeal to Commission under sub-section (3) of Section 19** — (1) In deciding the appeal to the Commission, the Commission shall :-
- (a) hear, oral or written, evidence on oath or on affidavit from the concerned or interested person;
 (b) peruse or inspect documents, public records or copies thereof ;
 (c) Enquire through the authorized officer for further details or facts;
 (d) hear the State Public Information Officer or the State Assistant Public Information Officer or such officer who decided the first appeal mentioned in sub-section (1) of Section 19, as the case may be;
 (e) hear the third party, if required; and
 (f) receive evidence on affidavits from State Public Information Officer or the State assistant public Information Officer or such officer who decided the first appeal mentioned in sub-section (1) of Section 19 or from the third party, if any
- (2) In deciding the appeal the Commission may ask the appellant to add any other information other than the information included in the contents of the second appeal under rule 5.
- 8. Service of notice by Commission** — The notice required to be issued under sub-section (9) of Section 19, by the Commission may be served in any of the following modes, namely :-
- (a) service by the party itself;
 (b) service by hand delivery through the process server;
 (c) service by the registered post with acknowledgement due;
 (d) service through the head of office or the Department.
- 9. Signing of order** — The order of the Commission pronounced in open proceedings shall be in writing and authenticated by the Registrar or any other officer authorized by the Commission in this behalf.
- 10. Terms and conditions of officers and other employees of Commission**— The officers and other employees of the Commission shall be placed on deputation from the State Government on the usual terms and conditions.

By order of the Governor,

TRILOCHAN SINGH

Secretary to the Government of West Bengal.

ANNEXURE 3**EXCLUSION FROM THE ACT**

As per Section 24(4) of the RTI Act, the provisions of the Act will not apply to such intelligence and security organizations established by the State Government, as the State Government may, from time to time, by notification in the Official Gazette specify.

The following organizations have been exempted by the State Government vide notification No. 541-PAR(AR)/O/3M-29/2005 Pt. VILLA dated 29.08.2006 and notification No. 120-PAR(AR)/O/3M-29/2005 Pt. VIIIA dated 05.03.2009.

1. Home Department**a. Political Branch**

- i. Security arrangements and related matter of VIPs and VVIPs
- ii. Interceptions of mails and other personal communications including phone / mobiles under Indian Post Office Act, 1898 and India Telegraph Act, 1885.
- iii. Sanction of prosecution
- iv. CBI investigation-handling over of cases
- v. Verification of antecedents.
- vi. Preparation of bills and rules.

b. Police Branch

- i. Information relating the mobilization and deployment of police force.
- ii. All police reports (except under orders of the Courts of Law)

c. Special Branch

- i. Proceedings under the Special Preventive Acts of the State Govt. / Govt. of India

2. Police Directorate

- a. Intelligence Branch including District IBs
- b. Eastern Frontier Rifles
- c. State Armed Police
- d. Indian Reserve Battalion
- e. Enforcement Branch
- f. Secret Source fund
- g. Reserve Force
- h. Secret Section including Secret Source Fund

3. Kolkata Police

- a. Special Branch.
- b. Detective Department
- c. Security Control Organization
- d. Enforcement Branch
- e. Kolkata Armed Police including Reserve Force
- f. Secret Source Fund
- g. Confidential Section
- h. Special Task Force (vide notification No. 120-PAR(AR)/O/3M-29/2005 Pt. VIII A dated 05.03.2009)

The Governor is further pleased to state that the information pertaining to allegations of corruptions and human rights violations in respect of the above organization of Police Directorate and Kolkata Police will not be kept beyond purview of the "Right to Information Act, 2005" under Section 24(4) of the act *ibid*.