

Translated copy of the Decisions of IC-2

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 46/2012

Complainant: Mr. Md. Mostafa Kari
S/o. Md. Momtaz Mia
Vill: South Bagya, P.O: Char Jabbar
Upazila: Subarna Char, Dist: Noakhali

Opposite party: Mr. Md. Kamrul Ahsan Talukder
Assistant Commissioner (Land)
& Designated Officer
Subarna Char, Noakhali

Decision Paper (Date: 18.09.2012)

The complainant Mr. Md. Mostafa Kari, Vill: South Bagya, P.O: Char Jabbar, Upazila: Subarna Char, Dist: Noakhali submitted an application to Mr. Md. Kamrul Ahsan Talukder, Assistant Commissioner (Land) & Designated Officer, Upazila Land Office, Subarna Char, Noakhali under section 8(1) of the Right to Information Act, 2009 on 20.02.2010 seeking for the following information:

- 1) Final list of scrutinized/selected landless people of Char Bagya Char Mohiuddin Mouza of No.5 Char Jubli Union and**
- 2) Copies of the resolutions of the meetings of the Upazila Land Settlement Committee of the years from 2000 to 2011.**

Having received no information within the time limit he preferred an appeal to the Appellate Authority, the Deputy Commissioner, Noakhali on 25.04.2012. Getting no remedy there on appeal he lodged this petition of complaint to the Information Commission on 06.06.2012.

The complaint was discussed in the meeting of the Commission held on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 18.09.2012.

On the date of hearing fixed through summons issued by the Commission both the complainant and the opposite party remaining present adduced their statements. The complainant stated in his petition of complainant and in his deposition that he submitted the request for information as per Right to Information Act seeking for the final list of scrutinized/selected landless people of Char

Bagya Char Mohiuddin Mouza of No.5 Char Jubli Union and copies of the resolutions of the meetings of the Upazila Land Settlement Committee of the years from 2000 to 2011. But requested information was not provided to him. The opposite party Mr. Md.Kamrul Ahsan Talukder, Assistant Commissioner (Land) & Designated Officer, Upazila Land Office, Subarna Char, Noakhali stated in his deposition that due to non-availability of the requested complete information, the act of collecting information was under process by sending a letter to the Deputy Commissioner. In addition the complainant was informed of the cost of information and time required for delivery of information on 08.08.2012. As the act of collecting information from the 3rd party was under process, it was not possible to provide requested information in due time.

Discussion

Considering the statement adduced and the papers submitted by both the parties it reveals that the opposite party requested the complainant to pay the cost of information and he was informed of the time required for delivery of information by sending a letter on 08.08.2012. As the opposite party ensured the Commission to provide requested information to the complainant on collection of remaining information from the third party, the case seems to be disposable.

Decision

Assistant Commissioner (Land) Mr. Md.Kamrul Ahsan Talukder is directed to deposit the cost of information realized under section 8(4) of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 by 01.10.2012 to the govt. treasury in code no 1807. He is also directed to provide requested information to the complainant on collection from the 3rd party under intimation to the Commission. Send copies of the order to the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Chief Information Commissioner-in-Charge

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 47/2012

Complainant: Begum Syeda Sharfunnesa
Mallika-1, Eskaton Garden
Govt. Officers' Quarter
Eskaton Garden Road
Dhaka

Opposite party: Mr. Md.Fakrul Kabir
Senior Assistant Secretary
& Designated Officer
Office of the Wakf Administrator-4
New Eskaton Garden, Dhaka

Decision Paper
(Date: 26.11.2012)

The complainant submitted an application to the Designated Officer of the Office of the Wakf Administrator-4, New Eskaton Garden, Dhaka under section 8(1) of the Right to Information Act, 2009 on 02.02.2012 seeking for the following information.

- The list of the names of the trading organizations established on the personal property of Syeda Sharfunnesa which was amalgamated with Emdad Ali Wakf Estate EC-1400(Dhaka) and the following information:
 - 1) Sample copy or the attested photocopy of the rent receipt used for recovery of monthly rent from the legal tenants;
 - 2) How many tenants are there in the EC-1400 Emdad Ali Wakf Estate? List of the names and addresses of the tenants;
 - 3) Was the approval of the Wakf Administrator taken before printing the currently or previously used rent receipts? If so taken, copy of the order;
 - 4) Was permission taken from the owners of personal properties before printing the rent receipts;
 - 5) Is the rent realized from the part of the personal property repaid to the owners regularly? If so, how much money is being repaid per month;
 - 6) Copies of the audit reports of each year from the year 1980;
 - 7) Whether joint audit is conducted or not for the personal properties along with the wakf properties? If so, whether the owners of the personal properties are concerned with such audit;
 - 8) Share of the ownership out of the total property owned by the EC-1400 Emdad Ali Wakf Estate as per registered deed and the names and addresses of the owners of the remaining part;
 - 9) Who contested in the Misc. Appeal case no. 10/93 and Misc. Appeal no.43/93 lodged in the court of the District Judge relating to the Wakf Estate? What was the role of the Office of the Wakf Administrator in these cases? What were the orders passed in these cases?

10) Which party did the Wakf Administrator belong to the civil revision case no. 3563/2008 lodged with the High Court division? Did the Wakf Administrator contest in that case? What was the judgment and order passed in that case?

Having received no information within the time limit he preferred an appeal to the Appellate Authority, the Wakf Administrator on 16.04.2012. Getting no remedy even on submission of appeal he lodged this petition of complaint to the Information Commission on 10.06.2012.

The complaint was discussed in the meeting of the Commission held on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 18.09.2012. Due to absence of both the parties on the date fixed for hearing and non-receipt of service return of summons next date was fixed for hearing on 21.10.2012 and summonses were issued to the parties accordingly. On the date fixed for hearing on behalf of the complainant her husband remained present and the opposite party, the Designated Officer, remained absent as he was on tour to Saudi Arabia as a member of the Hajj Management Team, 2012. So, summonses were issued fixing next date of hearing on 26.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant along with her engaged lawyer and the opposite party remaining present adduced their statements. On behalf of the complainant the learned lawyer stated that the complainant submitted the request for information to the Designated Officer as per provisions of the Right to Information Act. But she was provided with partial information. The Designated Officer and Senior Assistant Secretary Mr. Md. Fakrul Kabir stated in his deposition that due to non-availability of complete information, he supplied partial information, which was available in his office, to the complainant. He also informed that he would supply the remaining part of requested information to the complainant on collection from the Mutwalli.

Discussion

Considering the statement adduced and the papers submitted by both the parties it reveals that as the complainant received partial information and the Designated Officer, Mr. Md. Fakrul Kabir ensured the Commission to provide the remaining part of the requested information to the complainant on collection from the Mutwalli, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

1. The Designated Officer will provide requested information to the complainant by 05.12.2012 or earlier subject to realization of cost of information.
2. The Designated Officer is directed to deposit the amount realized as cost of information supplied as per provisions of section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 to the govt. treasury in code no. 1-3301-0001-1807.

- Both the parties are asked to intimate the Commission on compliance of the above directions.

Send copies of the order to both the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 48/2012

Complainant: Mr. Chherajul Haque (Khokan)
Vill: South Bagya, P.O: Char Jabbar
Upazila: Subarna Char
Dist: Noakhali

Opposite party: 1. Ms Rousan Ara Begum
Upazila Election Officer
& Designated Officer
Subarna Char, Noakhali
2. Mr. Md. Nazrul Islam
District Election Officer
& Appellate Authority, Noakhali

Decision Paper
(Date: 21.10.2012)

The complainant submitted an application to the Upazila Election Officer, Subarna Char upazila of Noakhali district under section 8(1) of the Right to Information Act, 2009 on 20.02.2012 seeking for the following information:

- **Copies of the voter list of ward no. 9 (Char Bagya, Char Mohiuddin, Char Ziauddin) of no. 5 Char Jubli Union**

Having received no information within the time limit he preferred an appeal to the District Election Officer, Noakhali on 11.04.2012. Getting no information or reply on submission of appeal he lodged this petition of complaint to the Information Commission on 10.06.2012.

The complaint was discussed in the meeting of the Commission held on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 18.09.2012.

On the date of hearing the complainant was present. But the opposite parties remained absent. As such next date was fixed for hearing on 21.10.2012 and summonses were issued to the concerned parties.

On the date of hearing re-fixed through summons issued by the Commission both the complainant and the opposite party remaining present adduced their statements. The complainant stated in his petition of complainant and in his deposition that he submitted the request for information as per provisions of the Right to Information Act seeking for the copies of the voter list of ward no. 9 (Char Bagya, Char Mohiuddin, Char Ziauddin) of no. 5 Char Jubli Union, but he was not provided with the requested information. After the service of summons the District Election Officer sent a letter to him

stating therein that there was no provision to provide voter list with photographs. The Upazila Election Officer, Subarna Char of Noakhali district, Ms Rousan Ara Begum, stated in her deposition that she has been posted to Noakhali Sadar Upazila as Upazila Election Officer and has been in additional charge of Subarna Char upazila. When the complainant submitted the request for information, she was not in charge of Subarna Char upazila.

The Appellate Authority stated in his deposition that the complainant submitted the appeal to the Deputy Commissioner. No appeal was submitted to him. On receipt of the appeal petition through the Deputy Commissioner, one reply was given to the complainant stating therein that as per section 5(2) of the Voter List Ordinance there was no provision to provide photocopy of voter list along with photographs. However, voter list without photographs may be delivered on payment of reasonable cost, he added.

Discussion

Considering the statement adduced and the papers submitted by both the parties it reveals that it was not possible on the part of the authority to provide requested information because there was no provision to provide photocopy of voter list along with photographs as per section 5(2) of the Voter List Ordinance. However, there is no embargo on providing voter list without photographs. As the Designated Officer ensured the Commission to provide voter list without photographs subject to payment of price, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

1. The Designated Officer will provide requested information to the complainant by 31.10.2012 or earlier subject to payment of cost of information.
2. The Designated Officer is directed to deposit the amount realized as cost of information supplied as per provisions of section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 to the govt. treasury in code no. 1-3301-0001-1807.
3. Both the parties are asked to intimate the Commission on compliance of the above directions.

Send copies of the order to both the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 49/2012

Complainant: Begum Rashida Islam

Proprietor
M/s M K Engineering Works
78, Motijheel C/A (9th Floor)
Dhaka-1000

Opposite party: Mr. Md Zahirul Islam

Director (Traffic)
& Designated Officer
Bangladesh Railway
Rail Bhaban, Dhaka

Decision Paper
(Date: 19.09.2012)

The complainant Begum Rashida Islam, Proprietor, M/s M K Engineering Works Islam, 78 Motijheel C/A (9th Floor), Dhaka-1000 submitted an application to the Director (Traffic), Bangladesh Railway, Rail Bhaban, Dhaka under section 8(1) of the Right to Information Act, 2009 on 16.04.2012 seeking for the following information:

- 1. Which organizations participated in the tender for awarding lease of Dewanganj Commuter Train No. 47/48?**
- 2. The name, mobile number and address of the proprietors of the participating organizations;**
- 3. Attested photocopies of the opinions given by the Law Officer and the Lawyer for invitation of tender for awarding lease of Dewanganj Commuter Train No. 47/48;**
- 4. Photocopy of the tender document;**
- 5. Which organization was awarded the lease and for which daily amount?**
- 6. Photocopy of the contract;**
- 7. Attested photocopy of the decisions of the Tender Evaluation Committee;**
- 8. Attested photocopy of the explanation submitted by the tender authority on inviting through a wrong tender notice for awarding lease of Dewanganj Commuter Train No. 47/48;**
- 9. On which date was the contract signed? And**
- 10. On which date was the contract made effective?**

Having received no information within the time limit he preferred an appeal to the Secretary, Ministry of Railways, Rail Bhaban, Dhaka on 14.05.2012. Getting no remedy there even on submission of appeal, he lodged this petition of complaint to the Information Commission on 21.06.2012.

The complaint was discussed in the meeting of the Commission held on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 19.09.2012.

On the date of hearing fixed through summons issued by the Commission both the complainant and the opposite party remaining present adduced their statements. The complainant stated in his petition of complainant and in his deposition that he submitted the request for information as per Right to Information Act to Mr. Zahurul Islam, Director (Traffic) & Designated Officer seeking for certain information, but he was not provided with complete information. The opposite party stated in his deposition that he supplied some of the requested information which was available in his office. For not finding the rest of the information it was not possible for him to supply complete information.

Discussion

Considering the statement adduced and the papers submitted by both the parties it reveals that the complainant did not have complete information as requested. As the opposite party ensured the Commission to provide complete information to the complainant on collection of concerned information, the case seems to be disposable.

Decision

The case is disposed of with the direction to Mr. Md. Zahurul Islam, the Designated Officer to provide requested information to the complainant by 25.09.2012 as per section 9 of the Right to Information Act, 2009 and in case of non-availability of requested information to take steps as per section 9(3) of the said Act. Send copies of the order to both the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Chief Information Commissioner-in-Charge

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
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Complaint No. 50/2012

Complainant: Mr. Chowdhury Md. Ishaque
Managing Director
Elite Lamps Limited
19/3, Pallabi
Mirpur, Dhaka-1216

Opposite party: Mr. Helal Uddin Ahmed
Deputy General Manager
& Designated Officer
Sonali Bank Limited, Head Office
35-44, Motijheel C/A, Dhaka

Decision Paper

(Date of hearing: 19.09.2012)

The complainant submitted a complaint case numbering 10/2012 to the Information Commission on 14.02.2012 against Mr. Helal Uddin Ahmed, Deputy General Manager and Designated Officer, Sonali Bank Ltd, Industrial Loan Division, Head Office, 35-44, Motijheel C/A, Dhaka- 1000 regarding realization of loans from the provision fund of Sonali Bank, amount of loans realized in bond and subsidy head, statements of allocation to sick industries/projects through writing off the principal amount of loan of 1,585 (one thousand five hundred and eighty five) sick industries in the financial budget of 2011-2012 (Budget speech-193), repayment of bank loans, writing off interest and subsidy amounting to Tk. 2590 crores (Twenty five thousand nine hundred million) in total. In response to the complaint Commission passed its decision after hearing on 03.05.2012. Though instruction was given to provide information in that case, the Designated Officer did not provide information and as such the complainant lodged the complaint on 02.07.2012 and again on 24.07.2012. Sonali Bank supplied some false information on 10.07.2012 instead of supplying the audit report as a public document as requested in point no. 5(8) of the appeal petition in complaint case no. 10/2012 as per decision dated 03.05.2012 of the Commission. Being aggrieved on receipt of such false information the complainant lodged this complaint again for taking punitive actions against the opposite party.

The complaint was discussed in the meeting of the commission on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 19.09.2012.

On the date of hearing fixed through summons issued by the Commission both the complainant and the opposite party along with their lawyers remaining present submitted vokalatnama and adduced their statements. The engaged lawyer on behalf of the complainant stated that partial

information of point no. 5(8) of the appeal petition was supplied as per decision dated 03.05.2012 of the Commission in complaint case no. 10/2012. But complete information was not provided. The complainant was not provided with the information regarding the list of the sick industries whose loans were written off from the lump sum grant and the audit reports for the years 2009, 2010 and 2011. The learned lawyer on behalf of the opposite party mentioned that as there was an earlier instance of providing information regarding the sick industries by Janata Bank, the Designated Officer of Sonali Bank provided the part of the requested information mentioned in point 5(8) of the appeal petition in the like manner as followed by Janata Bank. As the audit reports are included in the annual report of Sonali Bank and the audit reports are public documents, there is no restriction to provide those. Besides, the name of the Elite Lamps has not been included in the distribution list of allocation of lump sum grant.

Discussion

Considering the statements adduced and documents produced by both the parties it reveals that the complainant has not been provided with complete information. As the opposite party orally promised to provide requested information as stated in point no. 5(8) of the appeal petition to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

1. The Designated Officer of Sonali Bank will provide the audit reports of 2009, 2010 and 2011 to the complainant.
2. The Designated Officer is directed to provide the list of the persons/organizations whose loans were written off from the lump sum grant allocated (mentioning the amounts of grants) to the sick industries.
3. Both the parties are asked to intimate the Commission on compliance of the above directions by 04.10.2012.

Send copies of the order to both the parties concerned.

Sd/

(Prof. Dr. Sadeka Halim)

Information Commissioner

sd/

(Mohammad Abu Taher)

Chief Information Commissioner-in-Charge

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 51/2012

Complainant: Mr. Md. Abdul Hakim

S/o: Late Momin Uddin Howlader

Vill: Baliarkathi, P.O: Chakhar

Upazila: Banaripara

District: Barisal

Opposite party: Dr. Md. Afjal Hossain

Deputy Secretary (Admin)

&

Designated Officer

M/o Environment & Forest, Dhaka

Decision Paper

Date of hearing: 19.09.2012

The complainant Mr. Md. Abdul Hakim, S/o: Late Momin Uddin Howlader, Vill: Baliarkathi, P.O: Chakhar, Upazila: Banaripara, District: Barisal submitted an application to Ms Jahanara Begum, Deputy Secretary (Admin) & Designated Officer of the M/o Environment & Forest under section 8(1) of the Right to Information Act, 2009 on 11.04.2012 seeking for the following information:

- (a) Copies of the decisions on the case record submitted to the Ministry of Environment & Forest by Mr. Md. Abdul Hakim on 19.12.1989 in response to the urgent Memo.No.-2/Forest-57/88/845 issued by the Ministry on 18.12.1989.**
- (b) Copy of the documentary proof of receipt of the case record on the basis of order vide Memo.No.-2/Forest-57/88/895 dated 24.12.1989 of the Ministry of Environment and Forest.**
- (c) All information regarding actions taken on 4 appeal petitions submitted through proper channel by Mr. Md. Abdul Hakim on 24.04.2011, 07.05.2011, 31.05.2011 and 08.06.2011 in response to the letter no. M/o E&F/Admn-2/Appeal Petition-189/2011/346 dated 16.03.2011; the letter no. M/o E&F/Admn-2/Appeal Petition-189/2011/493 dated 26.04.2011 and the letter no. M/o E&F/Admn-2/Appeal Petition-189/2011/553 dated 15.05.2011 issued by the Administration Branch of the Ministry of Environment and Forest.**

Having received no information within the time limit he preferred an appeal to the Secretary, Ministry of Environment and Forest on 17.05.2012. Getting no remedy there on submission of appeal he lodged this petition of complaint to the Information Commission on 04.07.2012.

The complaint was discussed in the meeting of the Commission held on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 19.09.2012.

On the date of hearing fixed through summons issued by the Commission both the complainant and the opposite party remaining present adduced their statements. The complainant stated in his petition of complainant and in his deposition that he submitted the request for information as per Right to Information Act seeking for the said information and getting no information he preferred an appeal. As the authority did not take any step to provide requested information even on submission of appeal he lodged the petition of complaint to the Information Commission. The opposite party stated in his deposition that the application for information was submitted to the former Designated Officer. After his joining to this ministry he took steps to collect necessary information for delivery. But due to non-availability of information in the Directorate of Environment and Forest requested information could not be supplied.

Discussion

Considering the statement adduced and the papers submitted by both the parties it reveals that the opposite party took initiatives to provide information, but could not supply due to non-availability of requested information in the Directorate of Environment and Forest. As the opposite party ensured to provide requested information to the complainant by examining all possible sources, the case seems to be disposable.

Decision

As the requested information is related with the service of the complainant, hence, the Designated Officer is directed to take steps to provide requested information to the complainant on examining all possible sources by 25.09.2012 and in case of non-availability of information to inform the complainant. With this direction the case is disposed of. Send copies of the order to both the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Chief Information Commissioner-in-Charge

Information Commission
Archaeology Bhaban (2nd Floor)
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Complaint No. 52/2012

Complainant: Mr.Md. Sirajul Islam

S/o Late Md. Babar Ali Sarder
Vill: Samanta Sena, P.O: Alaipur
P.S: Rupsha
Dist: Khulna

Opposite party: 1. Dr. Chand Mohammad Sheikh

Chief Medical Officer & Designated Officer
Labour Welfare Centre, Rupsha, Khulna
2. Mr. M. A. Jamshedur Rahman
Joint Director, Labour
Factories and Establishments
Div. Labour Office & Appellate Authority
Nur Nagar, Boyra, Khulna.

Decision Paper

(Date: 19.09.2012)

Complainant Mr.Md. Sirajul Islam, S/o Late Md. Babar Ali Sarder, Vill: Samanta Sena, P.O: Alaipur, P.S: Rupsha, Dist: Khulna submitted an application to Dr. Chand Mohammad Sheikh, Chief Medical Officer, Labour Welfare Centre, Rupsha (Tutpara Main Road, Residence of Captain Sultan), Khulna on 22.09.2011 seeking for the following information:

- **Factory wise complete statement of the lalourers of the shrimp processing factories who received medical services from the Labour Welfare Centre, Rupsha, Khulna within the period from 1st September, 2010 to 31st August, 2011.**

Having received none of the requested information within the time limit he preferred an appeal on 16.10.2011 to Mr. M. A. Jamshedur Rahman, Joint Director (Labour), Factories and Establishments Divisional Labour Office, Nur Nagar, Boyra, Khulna. Getting no remedy there even on submission of appeal he lodged the petition of complaint to the Information Commission on 12.07.2012.

The complaint was discussed in the meeting of the commission on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 19.07.2012.

On the date of hearing fixed through summons issued by the Commission the opposite party remained absent informing that he received the requested information by this time. On the other hand,

on behalf of the opposite party the Designated Officer and the Appellate Authority remaining present adduced their statements. The Designated Officer Dr. Chand Mohammad Sheikh, Chief Medical Officer, Labour Welfare Centre, Rupsha (Tutpara Main Road, Residence of Captain Sultan), Khulna stated in his deposition that on receipt of the request for information he provided him the requested information by post. But he did not receive it. He was also found not available on mobile phone. Mr. Jamshedur Rahman, Joint Labour Director, Khulna and appellate authority stated in his deposition that on receipt of the appeal petition he directed the Designated Officer to provide requested information to the complainant.

Discussion

Considering the statement of the opposite party and the document submitted by the complainant it revealed that as the Designated Officer supplied requested information to the complainant and the complainant expressed satisfaction on receipt of information, hence, the case seems to be disposable.

Decision

As the Designated Officer supplied requested information to the complainant and the complainant informed the Commission in writing on receipt of information, hence, the case is disposed. Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Chief Information Commissioner-in-Charge

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
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Fax-088 02 9110638

Complaint No. 53/2012

Complainant: Barrister M Sarowar Hossain S/o Abdul Hakim Howlader Room No. 424(Anex) Supreme Court Bar Bhaban Ramna, Dhaka	Opposite party: Mr. Md. Aminul Haque Officer-in-Charge & Designated Officer Banaripara Police Station P.O: Banaripara, Dist: Barisal
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Decision Paper

Date of hearing: 19.09.2012

Complainant Barrister M Sarowar Hossain S/o Abdul Hakim Howlader, Room No. 424(Anex), Supreme Court Bar Bhaban, Ramna, Dhaka submitted an application on 15.03.2012 to the Officer-in-Charge, Banaripara Police Station, P.O: Banaripara, Dist: Barisal under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Result of the theft/criminal case lodged in the year 1974/75 with the Banaripara Police Station against the present Member of the Parliament of constituency no. Pirojpur -01, Mr. A K M A Awal, s/o late Ekram Ali Khalipha of House/ Holding no. 388, Parer Hat Road, P.O. and District- Pirojpur.**

Having received no information within the time limit he preferred an appeal to the appellate authority, the Superintendent of Police, Pirojpur on 22.05.2012. The Appellate Authority provided him with the requested information. But being aggrieved with the information provided by the Police Super he lodged the petition of complaint to the Information Commission on 18.07.2012.

The complaint was discussed in the meeting of the commission on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 19.09.2012.

On the date of hearing fixed through summons issued by the Commission both the complainant and the opposite party remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act. Getting no information there he preferred an appeal to the appellate authority. The appellate authority informed him that the case records of the cases filed in the year 1974/1975 were destroyed as per provisions of the law and he

expressed his inability to provide requested information due to non-availability of the concerned case record. The complainant further stated that the Designated Officer could have enquired into whether the information was preserved by any third party. On the other hand, the opposite party stated in his deposition that he tried his best to provide requested information from all possible sources under his authority. Though there was no case number, date and name of the informant specifically mentioned in the request for information, yet he consulted the Khatian Register, FIR Register, Complaint Register, Final Report Register etc. He also informed that he could not supply requested information as no case record of the year 1974/1975 was preserved in the record room of the police station.

Discussion

Considering the statement of the complainant and the documents produced it revealed that there was no case number, date and name of the informant specifically mentioned in the request for information. It was not possible to provide requested information as no case record of the year 1974/1975 was preserved in the record room of the police station. However, it was possible to examine the criminal history sheet and village crime note book and take necessary action to provide requested information.

Decision

The Designated Officer is directed to provide information by 30.09.2012 if it is found on examination of the criminal history sheet and village crime note book of the year 1974/1975 and in case no information is found available to take steps as per section 9(3) of the Right to Information Act. The case is accordingly disposed of with direction to send copies of the order to all the concerned parties.

Sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Chief Information Commissioner-in- Charge

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 54/2012

Complainant: Metli Chakma

Father- Late Kali Ratan Chakma
Vill: North Khabangparia, Ward no. 1
P.O + P.S: Khagrachhari
District: Khagrachhari

Opposite party: Dr. Jaharaby Ripon

Director & Designated Officer
Proshika Human Dev. Centre
I/1-B, Section-2, Mirpur
Dhaka-1216

Decision Paper
(Date: 19.09.2012)

Complainant Metli Chakma, Father- Late Kali Ratan Chakma, Vill: North Khabangparia, Ward No. 1, P.O + P.S: Khagrachhari District: Khagrachhari, submitted an application on 17.04.2012 to Mr. Golam Faruk Khan, Director (Admin) and Designated Officer of Proshika Human Development Centre, I/1-B, Section-2, Mirpur, Dhaka-1216 under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1. Copy of the principles of governing the Provident Fund of Proshika Employees;**
- 2. Copy of the decision for not paying the claim of one former employee of Proshika, Metli Chakma on account of Provident Fund, Gratuity and Medical Allowances and the list of decision-makers along with their designations; and**
- 3. Whether Proshika authority has taken any decision on his application filed through GEP post in October, 2011 regarding payment of the claims and if so taken, copy of the decision.**

Having received none of the requested information within the time limit he preferred an appeal to Mr. S M Goon, Director, Human Resources, Proshika Human Development Centre, I/1-B, Section-2, Mirpur, Dhaka-1216 on 12.06.2012. Getting no remedy even on filing the appeal he lodged the petition of complaint to the Information Commission on 23.07.2012.

The complaint was discussed in the meeting of the commission on 30.07.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 19.09.2012.

On the date of hearing fixed through summons issued by the Commission both the complainant and the opposite party remaining present adduced their statements. The complainant stated in his petition of complainant and in his deposition that he submitted the request for information as per provisions of the Right to Information Act seeking for the said information and

getting no information he preferred an appeal. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission. The opposite party Dr. Jaharaby Ripon, Director and Designated Officer of Proshika Human Development Centre, I/1-B, Section-2, Mirpur, Dhaka-1216 stated in his deposition that the application for information was submitted to the former Designated Officer and he did not get any record relating to this issue after his joining. So, he was not aware of this matter. However, becoming aware on receipt of the summons from the Information Commission he brought the requested information with him and ensured its delivery to the complainant.

Discussion

Considering the statement adduced and the papers submitted by both the parties it reveals that as the opposite party ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with directions to the Designated Officer, Dr. Jaharaby Ripon to provide all of the requested information to the complainant by 30.09.2012, settle all of his financial claims, and thereby inform the Information Commission. Send copies of the order to both the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Chief Information Commissioner-in-Charge

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 55/2012

Complainant: Mr. Chaihalau Marma

S/o: Anishi Marma

Vill: Singinala

P.O + Upazila: Mahalchhari

District: Khagrachhari

Opposite party: Mr. Md. Ahsanullah

Upazila Resident Engineer

& Designated Officer

Rural Electrification Board

Mahalchhari, Khagrachhari

Decision Paper

(Date: 30.12.2012)

01. The complainant submitted an application on 21.04.2012 to the Upazila Resident Engineer & Designated Officer, Rural Electrification Board of Mahalchhari upazila of Khagrachhari district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1. Copy of the guidelines for conducting electric bill related activities;**
- 2. Copy of the decision based on which electric bill is prepared without inspection of the household electric metre;**
- 3. How much is the reasonable price of the metre supplied from the electricity office? How many metres are supplied officially in a year? And a complete list of such supplies with detail information.**

02. Having received none of the requested information within the time limit he preferred an appeal to the appellate authority, the Executive Engineer of Distribution Division of Power Development Board of Khagrachhari district on 14.06.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 29.07.2012.

03. The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 21.10.2012.

04. On the fixed date of hearing the complainant remained absent showing family problems and prayed for fixing another date for hearing. The Designated Officer also remained absent without showing any reason. On the basis of the prayer for time by the complainant next date of hearing was fixed on 26.11.2012 and summonses were issued to both the complainant and the Designated Officer.

05. On the date of hearing fixed through summons due to absence of the complainant and the Designated Officer and non-receipt of the service return of summons next date was fixed on 30.12.2012

again and summonses were issued to the complainant, the Designated Officer and the Appellate Authority by the Commission. Copies of the summonses were sent to the Secretary, Power Division; Chairman, Power Development Board, Dhaka; Deputy Commissioner, Khagrachhari and Upazila Nirbahi Officer Khagrachhari.

06. On the date of hearing fixed through summons issued by the Commission the complainant, the Designated Officer and the Appellate Authority remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. Getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

07. The opposite party Mr. Md. Ahsnullah, the Upazila Resident Engineer & Designated Officer of the Power Development Board, Mahalchhari under Khagrachhari district stated in his deposition that he was not aware of the Right to Information Act. On a query put by the Commission regarding his absence on two occasions in spite of receiving summons he could not submit any satisfactory explanation. He begged apology and ensured delivery of requested information.

Discussion

After hearing the statements of the complainant and the Designated Officer and considering the documents produced during hearing it reveals that the Designated Officer was not reasonably aware of the Right to Information Act. As a result it was not possible on his part to provide requested information and he begged apology to the Commission. As the Designated Officer ensured the delivery of requested information and begged apology to the Commission, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 07.01.2013 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 to the govt. treasury in code no. 1-3301-0001-1807.
03. The Designated Officer is censured for negligence in discharging his duties.
04. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 56/2012

Complainant: Mr. Pradip Shashi Chakma
S/o: Sadhan Mohan Chakma
Vill: Monatekpara
P.O + Upazila: Mahalchhari
District: Khagrachhari

Opposite party: Mr. Md. Ahsanullah
Upazila Resident Engineer
& Designated Officer
Rural Electrification Board
Mahalchhari, Khagrachhari

Decision Paper
(Date: 30.12.2012)

01. The complainant submitted an application on 21.04.2012 to the Upazila Resident Engineer & Designated Officer, Rural Electrification Board of Mahalchhari upazila of Khagrachhari district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 01. Copy of the guidelines for conducting electric bill related activities;**
- 02. Copy of the decision based on which electric bill is prepared without inspection of the household electric metre;**
- 03. How much is the reasonable price of the metre supplied from the electricity office? How many metres are supplied officially in a year? And a complete list of such supplies with detail information.**

02. Having received none of the requested information within the time limit he preferred an appeal to the appellate authority, the Executive Engineer of Distribution Division of Power Development Board of Khagrachhari district on 14.06.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 29.07.2012.

03. The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 21.10.2012.

04. On the fixed date of hearing the complainant remained absent showing family problems and prayed for fixing another date for hearing. The Designated Officer also remained absent without showing any reason. On the basis of the prayer for time by the complainant next date of hearing was fixed on 26.11.2012 and summonses were issued to both the complainant and the Designated Officer.

05. On the date of hearing fixed through summons due to absence of the complainant and the Designated Officer and non-receipt of the service return of summons, next date was fixed on 30.12.2012

again and summonses were issued to the complainant, the Designated Officer and the Appellate Authority by the Commission. Copies of the summonses were sent to the Secretary, Power Division; Chairman, Power Development Board, Dhaka; Deputy Commissioner, Khagrachhari and Upazila Nirbahi Officer, Khagrachhari.

06. On the date of hearing fixed through summons issued by the Commission the complainant, the Designated Officer and the Appellate Authority remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. Getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

07. The opposite party Mr. Md. Ahsnullah, the Upazila Resident Engineer & Designated Officer of the Power Development Board, Mahalchhari under Khagrachhari district stated in his deposition that he was not aware of the Right to Information Act. On a query put by the Commission regarding his absence on two occasions in spite of receiving summons, he could not submit any satisfactory explanation. He begged apology and ensured delivery of requested information.

Discussion

After hearing the statements of the complainant and the Designated Officer and considering the documents produced during hearing it reveals that the Designated Officer was not reasonably aware of the Right to Information Act. As a result it was not possible on his part to provide requested information and he begged apology to the Commission. As the Designated Officer ensured the delivery of requested information and begged apology to the Commission, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 07.01.2013 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 to the govt. treasury in code no. 1-3301-0001-1807.
03. The Designated Officer is censured for negligence in discharging his duties.
04. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 57/2012

Complainant: Mr. Chingpru Marma

S/o: Agaz Marma

Vill: Singinala

P.O + Upazila: Mahalchhari

District: Khagrachhari

Opposite party: Mr. Md. Ahsanullah

Upazila Resident Engineer

& Designated Officer

Rural Electrification Board

Mahalchhari, Khagrachhari

Decision Paper

(Date: 30.12.2012)

01. The complainant submitted an application on 21.04.2012 to the Upazila Resident Engineer & Designated Officer, Rural Electrification Board of Mahalchhari upazila of Khagrachhari district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

01. Copy of the guidelines for conducting electric bill related activities;

02. Copy of the decision based on which electric bill is prepared without inspection of the household electric metre;

03. How much is the reasonable price of the metre supplied from the electricity office? How many metres are supplied officially in a year? And a complete list of such supplies with detail information.

02. Having received none of the requested information within the time limit he preferred an appeal to the appellate authority, the Executive Engineer of Distribution Division of Power Development Board of Khagrachhari district on 14.06.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 29.07.2012.

03. The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 21.10.2012.

04. On the fixed date of hearing the complainant remained absent showing family problems and prayed for fixing another date for hearing. The Designated Officer also remained absent without showing any reason. On the basis of the prayer for time by the complainant next date of hearing was fixed on 26.11.2012 and summonses were issued to both the complainant and the Designated Officer.

05. On the date of hearing fixed through summons due to absence of the complainant and the Designated Officer and non-receipt of the service return of summons, next date was fixed on 30.12.2012 again and summonses were issued to the complainant, the Designated Officer and the Appellate

Authority by the Commission. Copies of the summonses were sent to the Secretary, Power Division; Chairman, Power Development Board, Dhaka; Deputy Commissioner, Khagrachhari and Upazila Nirbahi Officer Khagrachhari.

06. On the date of hearing fixed through summons issued by the Commission the complainant, the Designated Officer and the Appellate Authority remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. Getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

07. The opposite party Mr. Md. Ahsnullah, the Upazila Resident Engineer & Designated Officer of the Power Development Board, Mahalchhari under Khagrachhari district stated in his deposition that he was not aware of the Right to Information Act. On a query put by the Commission regarding his absence on two occasions in spite of receiving summons, he could not submit any satisfactory explanation. He begged apology and ensured delivery of requested information.

Discussion

After hearing the statements of the complainant and the Designated Officer and considering the documents produced during hearing it reveals that the Designated Officer was not reasonably aware of the Right to Information Act. As a result it was not possible on his part to provide requested information and he begged apology to the Commission. As the Designated Officer ensured the delivery of requested information and begged apology to the Commission, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 07.01.2013 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 to the govt. treasury in code no. 1-3301-0001-1807.
03. The Designated Officer is censured for negligence in discharging his duties.
04. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 58/2012

Complainant: Mr. Md. Moniruzzaman Monir
S/o. Late Abdul Khaleque Jamaddar
Councilor, Ward No III
Nalchhiti Municipality, Jhalakathi

Opposite party: Mr. Md. Jasimuddin Khan
Secretary
& Designated Officer
Nalchhiti Municipality, Jhalakathi

Decision Paper
(Date: 21.10.2012)

The complainant submitted an application on 26.02.2012 to the Secretary & Designated Officer, Nalchhiti Municipality of Jhalakathi district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Head wise Income and Expenditure Statement of Nalchhiti Municipality for the period from 10.02.2011 to 25.02.2012**

Having received none of the requested information within the time limit he preferred an appeal to the appellate authority, the Mayor of Nalchhiti Municipality of Jhalakathi district on 10.06.2012. Getting no remedy reply on submission of appeal he lodged the petition of complaint to the Information Commission on 05.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 21.10.2012.

On the date of hearing fixed through summons the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complainant and in his deposition that he submitted the request for information as per provisions of the Right to Information Act to the Designated Officer and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party Mr. Md. Jasimuddin Khan, Secretary & Designated Officer of Nalchhiti Municipality of Jhalakathi district stated in his deposition that the complainant remains present in each monthly meeting of the Municipality as Ward Councillor. Income and expenditure statement of the Municipality is placed before the meeting. As the complainant gets related information by attending the

meetings as Councillor, he was not informed in writing. On receipt of summons he brought the requested information with him and ensured delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that the Designated Officer ensured the delivery of requested information to the complainant and hence, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 31.10.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information(Receipt of Information) Rules,2009 to the govt. treasury in code no. 1-3301-0001-1807.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 59/2012

Complainant: Mr. Md. Dudu Mia

S/o: Md. Habibur Rahman
Instructor, Garments
TTC, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam

Principal,
Technical Training Centre
Lalmonirhat

Decision Paper

(Date: 21.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Detail income and expenditure statement of CLP Programme of this institution since its inception till date and constituted committees for expenditures, documents like challans and vouchers.**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 21.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information

Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there developed lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009 to the govt. treasury in code no. 1-3301-0001-1807.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 60/2012

Complainant: Mr. Md. Humayan Kabir
S/o: Md. Shahabuddin
Senior Teacher
TTC, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam
Principal, Technical Training Centre
Lalmonirhat

Decision Paper
(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Statement of the yearly allocation received by the Bureau of the Technical Training Centre under the project and a statement of the stipends given to the students**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information

Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the matter regarding the requested information in detail with the teachers of the institution. As a result there developed lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have been overcome. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 to the govt. treasury in code no. 1-3301-0001-1807.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour, the Director General of the Bureau of Manpower, Employment and Training and the Principal and teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 61/2012

Complainant: Mr. Md. Abu Sayem

S/o: Late Abdul Khaleque

Senior Instructor

TTC, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam

Principal

Technical Training Centre

Lalmonirhat

Decision Paper

(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Information about the committees formed for expenditure from the year 2008 to 2012**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information

Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there developed lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 62/2012

Complainant: Mr. Md. Tahmidur Rahman
S/o: Md. Abdur Rashid
Instructor, Garments
Technical Training Centre
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam
Principal
Technical Training Centre
Lalmonirhat

Decision Paper
(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Statement of allocation and expenditure for purchase of books and publications for the Technical Training Centre since its inception**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant remained absent. The Designated Officer remained present. The complainant did not submit any prayer for time.

Discussion

As the complainant remained absent without any prayer for time, it reveals that there is no need of the requested information.

Decision

As the complainant remained absent and he did not submit any prayer for time, the case is disposed of as dismissed.

sd/

(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/

(Mohammad Abu Taher)
Information Commissioner

sd/

(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 63/2012

Complainant: Mr. Md. Shihabur Rahman
S/o: Late Kafil Uddin Akand
Instructor (Auto-cad), TTC
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam
Principal
Technical Training Centre
Lalmonirhat

Decision Paper
(Date: 22.10.2012)

The complainant submitted an application on 05.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Whether there is any allocation for maintenance of computers along with purchase of spare parts since inception of this institution or not. If so, what is the amount of allocation and expenditure?**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was

not aware of the Right to Information Act, 2009. On receipt of summons from the Information Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 64/2012

Complainant: Mr. Md. Fazlul Haque
S/o: Md. Hossain Ali
Senior Instructor, TTC
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam
Principal
Technical Training Centre
Lalmonirhat

Decision Paper
(Date: 22.10.2012)

The complainant submitted an application on 06.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Amount of allocation from the head office for repair and maintenance of the academic building of this institution and statement of expenditure (for training activities till date).**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information

Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 65/2012

Complainant: Mr. Md. Masud Rana

S/o: Md. Mojibar Rahman
Instructor (RC), TTC
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam

Principal
Technical Training Centre
Lalmonirhat

Decision Paper

(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Information about amount of allocation for stationary, seal and stamp since inception of this institution and amount of expenditure**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information

Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer inspite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 66/2012

Complainant: Mr. Md. Alam Hossain

S/o: Md. Jahir Uddin Laskar
Senior Instructor, TTC
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam

Principal
Technical Training Centre
Lalmonirhat

Decision Paper
(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre (TTC), Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Number of students enrolled in computer trade for 6 months till date (up to 06.06.2012) since its inception in this institution and expenditure statement for purchase of raw materials for their use along with the list of the members of the purchase committees constituted.**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information

Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour, the Director General, Bureau of Manpower, Employment & Training and the Principal and the teacher of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 67/2012

Complainant: Mr. Md. Raihanul Kabir
S/o: Md. Ajjar Rahman
Instructor (Welding & Fabrication)
Technical Training Centre
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam
Principal
Technical Training Centre
Lalmonirhat

Decision Paper
(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Information about amount of allocation for purchase of raw materials up to the year 2011-2012 since inception of this institution and statement of expenditure along with the constituted committees.**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission both the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre, Lalmonirhat stated in his deposition that he did not provide information as he was not

aware of the Right to Information Act, 2009. On receipt of summons from the Information Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 68/2012

Complainant: Mr. Md. Mashiur Rahman
S/o: Late Surat Ali
Instructor (Electrical), TTC
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam
Principal
Technical Training Centre
Lalmonirhat

Decision Paper
(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **The residence of the Vice-Principal has been let out instead of living since inception of this institution. Copies of the documents of letting out are sought for.**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teacher of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 69/2012

Complainant: Mr. Md. Jaydul Haque

S/o: Alhajj Md. Azizar Rahman
Senior Instructor, TTC
Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam

Principal
Technical Training Centre
Lalmonirhat

Decision Paper

(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Information about amount of allocation for the years up to 2011-2012 since inception of this institution.**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it revealed that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 70/2012

Complainant: Mr. Md. Maidul Islam

S/o: Md. Sabed Ali

Instructor (RAC), TTC

Haribhanga, Lalmonirhat

Opposite party: Mr. Md. Moksedul Alam

Principal

Technical Training Centre

Lalmonirhat

Decision Paper

(Date: 22.10.2012)

The complainant submitted an application on 04.06.2012 to the Principal, Technical Training Centre, Lalmonirhat under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 01. Statement of income and expenditure from the sale of forms up to the year 2011-2012 since inception of the training programme of this institution and**
- 02. Statement of expenditure for publicity and advertisement**

Having received none of the requested information within the time limit he preferred an appeal to the Director General, Bureau of Manpower, Employment and Training on 08.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 13.08.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his petition of complaint and in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The opposite party, Mr. Md. Moksedul Alam, Principal and Designated Officer of the Technical Training Centre of Lalmonirhat stated in his deposition that he did not provide information as he was not aware of the Right to Information Act, 2009. On receipt of summons from the Information Commission he became aware of the matter and ensured the delivery of requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that both the complainant and the Designated Officer in spite of being employed in the same institution, one party submitted the complaint against the other party. During discussion it also revealed that the Principal did not discuss the points of requested information in detail with the teachers of the institution. As a result there arose lack of trust and suspicion. The parties could have come to a decision and solved the problem themselves through discussion in such cases. For greater transparency and accountability the opposite party could have implemented their projects by forming different committees as a result of which such suspicion and misunderstanding between the Principal and the teachers would have come to an end. Besides, such problems could have been avoided if the Ministry of Expatriates' Welfare and Foreign Employment, Ministry of Labour and Bureau of Manpower, Employment and Training would have arranged regular inspection of such institutions. However, as the Designated Officer ensured the delivery of requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 30.11.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General of the Bureau of Manpower, Employment and Training are advised to conduct regular inspection of such technical training institutions and to give necessary instructions to the Principal and the teachers.
04. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the Secretary of the Ministry of Expatriates' Welfare and Foreign Employment, the Secretary of the Ministry of Labour and the Director General, Bureau of Manpower, Employment and Training and the Principal and the teachers of the Technical Training Centre.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 71/2012

Complainant: Begum Jesmin Haque

S/o: Late Gazi Faridul Haque

C/o: Sheikh Abdur Rouf (Dy. Secretary)

Dhalaitala, Narail

Opposite party: Syed Masud Mahmud Khondakar

Director General (External Publicity Wing)

& Designated Officer

Ministry of Foreign Affairs, Dhaka

Decision Paper

(Date: 26.11.2012)

The complainant submitted an application on 12.06.2012 to the Director (West Asia) & Designated Officer of the Ministry of Foreign Affairs under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **The complainant went to Jeddah, Saudi Arabia in 2004 through Finance Overseas Recruiting Agency in Dhaka and joined a private clinic for a two year contract. But the company dismissed him after 9 months without showing any reason. He contacted the Bangladesh Consulate Office in Jeddah and the Riyadh Embassy seeking legal action against the company for violation of the contract. Taking the chance of her loneliness some of the officers of the Consulate Office and Riyadh Embassy outraged her modesty and caused violence to her. Coming back to the country she submitted a complaint to the then Hon'ble Adviser of Foreign Affairs of Bangladesh seeking justice in the said matter. After six/seven months of submission of the complaint, she met the Director (West Asia) who assured her that action was being taken against those officers. But what action was taken was not known to her till date. Under the above circumstances, she wants to have the information about the actions taken against those officers and employees on the basis of her complaint in this regard.**

Having received none of the requested information within the time limit he preferred an appeal to the appellate authority, the Secretary of the Ministry of Foreign Affairs on 16.07.2012. Getting no information or remedy on submission of appeal he filed the petition of complaint to the Information Commission on 02.09.2012.

The complaint was discussed in the meeting of the commission on 26.09.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 22.10.2012.

On the date of hearing the complainant remained present. But the Designated Officer remained absent as he was in the Hajj Mission in Saudi Arabia. So, summonses were again issued fixing date of hearing on 26.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The Designated Officer, Syed Masud Mahmud Khondakar stated in his deposition that the inquiry done with reference to the complaint lodged by the complainant in 2008 was incomplete. So, on the basis of new inquiry, necessary action will be taken and accordingly he ensured to provide requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing, it reveals that as the Designated Officer ensured to provide requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 31.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. All the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 72/2012

Complainant: Mr. Aminul Islam

24/1, Road No. 4, Block-D
Banasree, Rampura
Dhaka- 1219

Opposite party: Mr. Nasimul Baten

Head of Operations
& Designated Officer
DBHL, Landmark Building (10th Floor)
12-14, Gulshan 2, Dhaka-1212

Decision Paper

(Date: 26.11.2012)

Complainant Mr. Aminul Islam submitted an application on 11.09.2011 to the Managing Director /Information Officer of DBH Limited under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) Is the amount of loan of Loan A/c No. 1008033 of Aminul Islam and others of House No. 24/1, road No. 4, Block-D, Banasree, Rampura correct or if not, why?
- 2) According to the letter of approval of loan, monthly installment amounting to Tk. 8094 including principal + interest @ 14.5% shall be repaid in 180 equal installments. Is it correct?
- 3) DBHL is bound to oblige the instruction nos.2 and3 of DFIM Circular no. 10 dated 07.12.2010 issued by the Financial Institution and Marketing Division of the Bangladesh Bank. Is it correct or if not, why?
- 4) Is the news published in the Daily Protham Alo dated 08.12.2010 in respect of the same circular dated 07.12.2010 for repayment of loans in monthly equal installments correct or if not, why?
- 5) According to that instruction is the principal amount of Tk. 3,364 out of the monthly installment of Tk. 8,094 including interest @ 14.5% correct or if not why?
- 6) The said monthly installments in 33 months up to July, 2011 @ Tk. 3,364 as principal equals to Tk. 110,980 (Tk. 3,364 X 33). Is it correct, if not why?
- 7) More-over, interest rate was reduced to 13.75% from October, 2009 and to 11.50% from July, 2010 and I paid @ Tk.100 extra per month for several months. I paid in total Tk. 120,000 as principal. Is it correct or if not why?
- 8) How much money have I paid up to 31st July, 2011 in total and how much is the principal in it and how much is the interest?
- 9) Mr. Nasimul Baten, Head of House Loan informed me through his letter dated 17.07.2011 to pay Tk.539,502 as principal. It means that I have paid only Tk. 60,498 as principal amount. Disobeying Bangladesh Bank's instruction he tried to hide my repayment of principal amount of Tk. 60,000. Is it not an attempt to cheating? How and on what basis have you fraudulently deducted @ Tk. 1834 out of the principal amount of Tk. 3364 payable along with interest @ 14.5%? Please mention the memo. No. of Bangladesh Bank in doing so in your favour and give me a copy thereof. If there is no such circular, please mention it.

- 10) You have attached a copy of the A/c statement (principal). DBH has deducted only @ Tk. 944 as principal out of Tk. 8094 per month and deducted Tk. 7150 as interest. It is an unbelievable work done by the Head of Loan of DBH or by the Secretariat of the Managing Director. Please mention the Memo. No. and date of the approval of the Ministry of Finance or of Bangladesh Bank in favour of following such a system by DBH. Please supply a copy of such instruction. If there is no such circular please mention it. Is it a system of cheating followed as per decision of DBH or IMF-DBH by disobeying the instruction of the govt. or Bangladesh Bank?
- 11) The complainant has repaid an amount of Tk. 120,000 as principal. So he will pay the remaining amount of Tk. 480,000 along with penal interest @ 2%. Please send a letter in this regard from DBH.
- 12) Getting information as stated above in sl. nos. 1-12 as per **Section 2** of the Right to Information Act.

Having received no information within the time limit he preferred an appeal to the appellate authority, Chairman of DBHL on 12.04.2012. Getting no remedy on submission of appeal he filed the petition of complaint to the Information Commission on 21.05.2012.

The complaint was discussed in the meeting of the commission on 26.07.2012 and decision was taken to know whether DBHL was a partner organization of BRAC and to send a letter to BRAC, Mohakhali along with a copy to Managing Director, DBHL. Accordingly, letters vide Memo. No.TKK / Admn-84/2011-60(1) dated 29.07.2012 and later on vide Memo. No. TKK/Admn-23/2010-237 dated 11.10.2012 were issued to BRAC. In reply BRAC informed vide its Memo. No.-----/kha-6/2012 dated 04.11.2012 that BRAC has 18.39% share in DBHL as investment.

The complaint was discussed in the meeting of the Commission again on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant Mr. Aminul Islam and the Designated Officer Mr. Nasimul Baten remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission. During hearing the complainant wanted to have out of his total 12 requests only “the circular/decision of Bangladesh Bank by the strength of which interest is being charged monthly in case of long-term house building loan”. The Designated Officer stated in his deposition that partial information has been given to the complainant and added that he would supply the information what the complainant wanted to have during hearing.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing it reveals that as the Designated Officer ensured to provide requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information by 10.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 73/2012

Complainant: Mr. Alauddin Al Masum
624/2, Ibrahimpur
Kafrul, Dhaka

Opposite party: Mr. Md. Syed Shariful Islam
Assistant Commissioner (Land)
& Designated Officer
Land Office, Gulshan Circle, Dhaka

Decision Paper
(Date: 26.11.2012)

01. The complainant submitted an application on 26.04.2012 to the Assistant Commissioner (Land) & Designated Officer, Gulshan Circle of Dhaka district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **R.S khatian no.1618 and R.S plot no. 6600, area of land- 0.23 acres of Vatara Mouza of Gulshan Police Station under Dhaka District which was converted into Khatian no.411, 5611,2335, 2507, 3677, 10304 and Plot no.9710,9711,9712 under Dhaka City Survey. Whether any part of the land of R.S plot No. 6600 was included in plot no. 9713 as road in Khatian no.1 under the City Survey or not, if so included, information about the quantity of land is sought.**

02. The Designated Officer informed his incapability to provide the requested information by issuing a notice to the complainant within the time limit and being aggrieved the complainant preferred an appeal to Mr.Md. Mahibul Haque, Deputy Commissioner, Dhaka & Appellate Authority on 04.06.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 02.07.2012.

03. In the meeting of the Commission held on 30.07.2012 decision was taken to send a letter to the Director General, Land records and Survey to let the Commission know whether the city survey of the Vatara mouza under Gulshan Police Station was completed or not. Accordingly, a letter was issued vide Memo. No. TTK /Admn-84/2011-89 dated 06.08.2012 and a copy thereof was endorsed to the complainant. The Zonal Settlement Officer, Dhaka sent a reply on 05.09.2012 vide his Memo. No. 31.03.2600.022.05.011.12-174 containing information of the city survey of the Vatara mouza no.15 as follows:

- Final publication of Vatara mouza was issued from 22.04.2008 to 04.06.2008.
- Gazette notification of the said mouza was made on 16.04.2009 in gazette no. 16.
- Prepared ROR, case records and maps were handed over to the Deputy Commissioner, Dhaka on 18.04.2010.

04. The matter was again discussed in the meeting of the Commission on 06.11.2012 and as per decision summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

05. On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. But due to non-availability of mouza map of the said plots the Designated Officer informed his incapability to provide requested information. The complainant being aggrieved preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

06. Mr. Md. Syed Shariful Islam, Assistant Commissioner (Land), Gulshan Circle, Dhaka and Designated Officer stated in his deposition that the map of the Vatarra mouza that contains the plot numbers 9710, 9711, 9712 and 9713 was not preserved in his office. It was not possible to prepare the requested information sought by the complainant without the map. However, steps have been taken to collect the map of Vatarra mouza. As soon as the map is collected from the Office of the Deputy Commissioner, requested information will be provided to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted, it reveals that it was not possible to provide requested information as the map was not preserved in the office of the Designated Officer. The Designated Officer informed the Commission that steps had been taken to collect the map of Vatarra mouza. As the Designated Officer ensured the delivery of requested information on collection of the map from the Office of the Deputy Commissioner, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009 to the govt. treasury in code no. 1-3301-0001-1807.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 74/2012

Complainant: Mr. Alauddin Al Masum
(On behalf of Halimun Nesa)
624/2, Ibrahimpur
Kafrul, Dhaka

Opposite party: Mr. Syed Shariful Islam
Assistant Commissioner (Land)
& Designated Officer
Land Office, Gulshan Circle, Dhaka

Decision Paper
(Date: 26.11.2012)

01. The complainant submitted an application on 30.04.2012 to the Assistant Commissioner (Land) & Designated Officer, Gulshan Circle of Dhaka district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Out of an area of land 0.0200 acre of plot no. 9629 of City Survey Khatian No. 8656 of Vatara mouza under Dhaka district, your office has realized L.D Tax for an area of 0.0100 acre. As notice under section 7 was issued for acquisition of my 0.0100 acre of land in L.A Case no. 13/2010-2011 of the Office of the Deputy Commissioner, Dhaka for construction of road of RAJUK, your office did not realize L.D Tax for this part of land. Is there any arrear dues to your office for this piece of 0.0100 acre of land which was decided to be acquisitioned. If so, what is the amount of the dues and whether your office will collect the dues from me or not?**

02. The Designated Officer informed his incapability to provide the requested information by issuing a notice to the complainant within the time limit and being aggrieved the complainant preferred an appeal to Mr.Md. Mahibul Haque, Dy. Commissioner, Dhaka & Appellate Authority on 31.05.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 02.07.2012.

03. In the meeting of the Commission held on 30.07.2012 decision was taken to send a letter to the Director General, Land records and Survey to let the Commission know whether the city survey of the Vatara mouza under Gulshan Police Station was completed or not. Accordingly, a letter was issued vide Memo. No. TKK /Admn-84/2011-90 dated 06.08.2012 and a copy thereof was endorsed to the complainant. The Zonal Settlement Officer, Dhaka sent a reply on 05.09.2012 vide his Memo. No. 31.03.2600.022.05.011.12-174 containing information of the city survey of the Vatara mouza no.15 as follows:

- Final publication of Vatara mouza was issued from 22.04.2008 to 04.06.2008.
- Gazette notification of the said mouza was made on 16.04.2009 in gazette no. 16.
- Prepared ROR, case records and maps were handed over to the Deputy Commissioner, Dhaka on 18.04.2010.

04. The matter was again discussed in the meeting of the Commission on 06.11.2012 and as per decision summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

05. On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. But the Designated Officer informed that how much of the land of R.S plot no.6600 of 0.23 acre was acquisitioned and how much was remaining was not mentioned in the application and as such it was not possible to provide information. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission.

06. Mr. Syed Shariful Islam, Assistant Commissioner (Land), Gulshan Circle, Dhaka and Designated Officer stated in his deposition that it was not possible to provide information as how much of the land of R.S plot no.6600 of 0.23 acre was acquisitioned and how much was remaining were not mentioned in the application. He further added that for providing requested information it is necessary to have the award certificate of the acquisitioned land and proofs of withdrawal of award money from the Land Acquisition Section. It will be possible to provide requested information to the complainant on submission of the award certificate and proofs of withdrawal of money by the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted it reveals that it could have been possible on the part of the Designated Officer to provide requested information to the complainant if the award certificate and proofs of withdrawal of money were supplied by the complainant. As it is necessary to have the award certificate of the acquisitioned land and proofs of withdrawal of award money for providing requested information and as the Designated Officer ensured to provide requested information, if the proofs are submitted, hence, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.12.2012 or earlier subject to realization of cost of information.
02. The complainant is directed to submit the award certificate and proofs of withdrawal of money to the Designated Officer for facilitating the delivery of requested information.
03. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
04. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 75/2012

Complainant: Mr. Alauddin Al Masum
624/2, Ibrahimpur
Kafrul, Dhaka

Opposite party: Mr. Md. Syed Shariful Islam
Assistant Commissioner (Land)
& Designated Officer
Land Office, Gulshan Circle, Dhaka

Decision Paper
(Date: 26.11.2012)

01. The complainant submitted an application on 30.04.2012 to the Assistant Commissioner (Land) & Designated Officer, Gulshan Circle of Dhaka district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Out of the total area of land of 0.2300 acre of plot no. RS 6600 of RS Khatian no. 1618 of Vatara mouza of PS Vatara, formerly PS Badda, before that PS Gulshan of Dhaka District, the complainant's share is 0.0900 acre. The office of the Assistant Commissioner (Land), Tejgaon Circle collected the Land Development Tax (Khajna) of his share of the said land of 0.0900 acre for the year 1418 BS on 27.07.2011 in Mutation case no. 6109/09-10 dated 10.12.2009 of his office [Office of the Assistant Commissioner (Land), Tejgaon Circle]. As decision was taken to acquisition 0.1046 acre of land out of total RS 0.2300 acre in L.A Case no. 13/2010-2011 of the Office of the Deputy Commissioner, Dhaka for construction of road of RAJUK, he (complainant) lodged a Writ Petition No. 8279/11 to the High Court Division against the Deputy Commissioner/ RAJUK. Honourable High Court passed an injunction order on his share of 0.0900 acre of land. As a result, he (complainant) seeks information whether the office of the Assistant Commissioner (Land), Tejgaon Circle will collect the Land Development Tax of his share of 0.0900 acre of land of the said RS plot for the year 1419 BS or not.**

02. The Designated Officer informed his incapability to provide the requested information by issuing a notice to the complainant within the time limit and being aggrieved the complainant preferred an appeal to Mr.Md. Mahibul Haque, Dy. Commissioner, Dhaka & Appellate Authority on 31.05. 2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 05.07.2012.

03. The complaint was discussed in the meeting of the Commission on 30.07.2012 and decision was taken to send a letter to the Director General, Land records and Survey to let the Commission know whether the city survey of the Vatara mouza under Gulshan Police Station was completed or not. Accordingly, a letter was issued vide Memo. No. TTK /Admn-84/2011-91 dated 06.08.2012 and a copy thereof was endorsed to the complainant. The Zonal Settlement Officer, Dhaka

sent a reply on 05.09.2012 vide his Memo. No. 31.03.2600.022.05.011.12-174 containing information of the city survey of the Vatara mouza no.15 as follows:

- Final publication of Vatara mouza was issued from 22.04.2008 to 04.06.2008.
- Gazette notification of the said mouza was made on 16.04.2009 in gazette no. 16.
- Prepared ROR, case records and maps were handed over to the Deputy Commissioner, Dhaka on 18.04.2010.

04. The matter was again discussed in the meeting of the Commission on 06.11.2012 and as per decision summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

05. On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. But The Designated Officer informed that information about what quantity of land of RS plot no. 6600 of 0.2300 acre was acquisitioned and how much was left out of acquisition being not attached with the complaint petition it was not possible to provide information. The complainant being aggrieved at this decision preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

06. Mr. Md. Syed Shariful Islam, Assistant Commissioner (Land), Gulshan Circle, Dhaka and Designated Officer stated in his deposition that as the complainant did not attach the information about what quantity of land of RS plot no. 6600 of 0.2300 acre was acquisitioned and how much was left out of acquisition with his petition of complaint, he could not provide requested information. He further added that for providing requested information it is necessary to have the award certificate of the acquisitioned land and proofs of withdrawal of award money from the Land Acquisition Section. It will be possible to provide requested information to the complainant on submission of the award certificate and proofs of withdrawal of money by the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted it reveals that it could have been possible on the part of the Designated Officer to provide requested information to the complainant if the award certificate and proofs of withdrawal of money were supplied by the complainant. As it is necessary to have the award certificate of the acquisitioned land and proofs of withdrawal of award money for providing requested information and as the Designated Officer ensured to provide requested information, if the proofs are submitted, hence, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.12.2012 or earlier subject to realization of cost of information.
02. The complainant is directed to submit the award certificate and proofs of withdrawal of money to the Designated Officer for facilitating the delivery of requested information.
03. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
04. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 76/2012

Complainant: Mr. Md. Shafiur Rahman
1/20, Kalyanpur Housing Estate
Kalyanpur, Dhaka-1207

Opposite party: Mr. Anisuzzaman Tarafder
General Secretary, Kalyanpur Estate Multi-lateral
Cooperative Association Ltd. & Designated Officer
Kalyanpur, Dhaka

Decision Paper
(Date: 26.11.2012)

The complainant submitted an application on 06.06.2012 to the General Secretary, Kalyanpur Estate Multi-lateral Cooperative Association Ltd, Kalyanpur, Dhaka & Designated Officer under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) List of members of the 13 Managing Committees elected since inception of the Association;
- 2) Copies of all (a) correspondence of letters, (b) resolutions of bi-lateral meetings and MoUs/ Contracts made between the Association and DESCO and (c) attested copies of paid and unpaid bills with effect from January, 2005 till date regarding installation of Check Meters in each stair violating DESCO rules and complexities arising out of the alleged electricity bills.

Having received no information within the time limit the complainant preferred an appeal to the President, Kalyanpur Estate Multi-lateral Cooperative Association Ltd of Dhaka district & Appellate Authority on 02.07. 2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 22.07.2012.

The complaint was discussed in the meeting of the Commission on 30.07.2012 and decision was taken to send a letter to the Registrar of the Department of Cooperatives to let the Commission know whether Kalyanpur Estate Multi-lateral Cooperative Association was registered or not. Accordingly, a letter was issued vide Memo. No. TTK /Admn-84/2011-93 dated 06.08.2012 and it was informed vide Memo. No. Law/Misc/General/6/2010-280 dated 18.09.2012 that the Kalyanpur Estate Multi-lateral Cooperative Association Ltd is a registered association.

The matter was again discussed in the meeting of the Commission on 06.11.2012 and as per decision summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer. For not getting requested information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission. Designated Officer Mr. Anisuzzaman Tarafder stated in his deposition that as he had no knowledge about the Right to Information Act, 2009 and as the complainant was not a member of the association, he did not provide requested information to the complainant. As he is now aware of the law, he ensured to provide the requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted it reveals that as the Designated Officer ensured to provide requested information, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 05.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 77/2012

Complainant: Mr. M A Hai

1/20, Kalyanpur Housing Estate
Kalyanpur, Dhaka-1207

Opposite party: Mr. Anisuzzaman Tarafder

General Secretary, Kalyanpur Estate Multi-lateral
Cooperative Association Ltd. & Designated Officer
Kalyanpur, Dhaka

Decision Paper

(Date: 26.11.2012)

The complainant submitted an application on 06.06.2012 to the General Secretary, Kalyanpur Estate Multi-lateral Cooperative Association Ltd, Kalyanpur, Dhaka & Designated Officer under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- a) Written or printed or photocopy of Annual Report preserved as per principles followed by the association;
- b) Inspection of original document and taking copies of necessary information as per section 8(20(d) of the Right to Information Act, 2009.

Having received no information within the time limit the complainant preferred an appeal to the President, Kalyanpur Estate Multi-lateral Cooperative Association Ltd of Dhaka district & Appellate Authority on 03.07. 2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 22.07.2012.

The complaint was discussed in the meeting of the Commission on 30.07.2012 and decision was taken to send a letter to the Registrar of the Department of Cooperatives to let the Commission know whether Kalyanpur Estate Multi-lateral Cooperative Association was registered or not. Accordingly, a letter was issued vide Memo. No. TKK /Admn-84/2011-94 dated 06.08.2012 and it was informed vide Memo. No. Law/Misc/General/6/2010-280 dated 18.09.2012 that the Kalyanpur Estate Multi-lateral Cooperative Association Ltd is a registered association.

The matter was again discussed in the meeting of the Commission on 06.11.2012 and as per decision summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer as per provisions of

the Right to Information Act. For not getting requested information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission. Designated Officer Mr. Anisuzzaman Tarafder stated in his deposition that as he had no knowledge about the Right to Information Act, 2009 and as the complainant was not a member of the association, he did not provide requested information to the complainant. As he is now aware of the law, he ensured to provide the requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted, it reveals that as the Designated Officer ensured to provide requested information, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 05.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 78/2012

Complainant: Mr. Amik Chakma

S/o: Late Maheshwar Chakma

Vill: South Khabangparia

P.O + upazila: Khagrachhari Sadar

Opposite party: Mr. Jiten Chakma

Research Officer & Designated Officer

Khagrachhari Small Ethnic Community

Cultural Institute, Khagrachhari Hill District

Decision Paper

(Date: 26.11.2012)

The complainant submitted an application on 24.04.2012 to the Designated Officer, Khagrachhari Small Ethnic Community Cultural Institute of Khagrachhari Hill District under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1. Copy of the Project Proposal approved by the Ministry for the Khagrachhari Small Ethnic Community Cultural Institute of the year 2011-2012;**
- 2. Copies of the vouchers for expenditures for holding festivals during the current year.**

Having received no information within the time limit the complainant preferred an appeal to the Deputy Director of the Khagrachhari Small Ethnic Community Cultural Institute & Appellate Authority, Mr. Sukhamoy Chakma on 22.07.2012. The Appellate Authority provided requested information to the complainant on 28.08.2012. Being not satisfied with the provided information the complainant filed the petition of complaint to the Information Commission on 04.09.2012.

The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer. For not getting requested information he preferred an appeal to the appellate authority. On submission of appeal he got incomplete information. Being not satisfied with the provided information he lodged the petition of complaint to the Information Commission. Designated Officer Mr. Jiten Chakma stated in his deposition that he would provide complete information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted, it reveals that incomplete information has been provided to the complainant. As the Designated Officer ensured to provide all the requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 05.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 79/2012

Complainant: Mr. Baher Ali

S/o: Naimuddin Sheikh
Vill: Chandpur, P.O: Brahmagachha
Upazila: Royganj, Dist: Sirajganj

Opposite party: Mr. Md. Akram Hossain

Designated Officer/Office Head
Upazila Cooperative Officer
Royganj, Sirajganj

Decision Paper

(Date: 30.12.2012)

01. The complainant submitted an application on 10.06.2012 to the Designated Officer/Office Head of the Office of the Upazila Cooperative Officer, Royganj under Sirajganj district under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- (a) Number of Fishermen Cooperative Associations registered within the period from the year 1996 to 2011 in Brahmagachha union;
- (b) Copies of the constitution of such associations, papers relating to registration and principles of registration; and
- (c) Names of the associations along with the name, address and occupation of all members of such associations.

02. Having received no information within the time limit the complainant preferred an appeal to the District Cooperative Officer, Sirajganj & Appellate Authority, Mr. Md. Nabirul Islam on 08.07. 2012. The Appellate Authority expressed his inability to provide requested information to the complainant vide his Memo. No.47.61.8800.000.18.001.12.1283 dated 26.07.2012 . Being aggrieved at this decision the complainant filed the petition of complaint to the Information Commission on 06.09.2012.

03. The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 26.11.2012.

04. On the date of hearing the complainant remained present, but the Designated remained absent. The Designated Officer filed a prayer to the Commission for fixing another date on the ground of his attachment in conducting the Primary and Ebtedayi Madrasa Education Completion Examination, 2012. Considering the petition next date was fixed on **31.12.2012** and summonses were issued accordingly.

05. On the date of hearing re-fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no.01 to the Designated Officer as per provisions of the Right to Information Act. For not getting requested information he preferred an appeal to the Appellate Authority. The Appellate Authority expressed inability to provide requested information on 26.07.2012 and being aggrieved he lodged the petition of complaint to the Information Commission on 06.09.2012.

06. Designated Officer Mr. Md. Akram Hossain stated in his deposition that he was not aware of the Right to Information Act. As a result requested information could not be supplied. For this he begged apology to the Commission. He also ensured the Commission that he would provide requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted, it reveals that the Designated Officer could not provide requested information to the complainant as he was not aware of the Right to Information Act. He begged apology to the Commission. Ignorance of law is no excuse in the eye of law. However, as the Designated Officer ensured to provide requested information to the complainant, the case is considered to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.01.2013 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. The Designated Officer is warned for his ignorance of the law.
04. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 80/2012

Complainant: Mr. Md. Jasimuddin

S/o: Aminul Haque

Vill: Katabunia, P.O: Char Amanullah

Upazila: Subarna Char, Dist: Noakhali

Opposite party: Begum Ayesha Siddika Laki

Regional President/Coordonator

& Designated Officer, Nijera Kori

Subarna Char, Noakhali

Decision Paper

(Date: 30.12.2012)

01. The complainant submitted an application on 01.08.2012 to the Regional President/Coordonator & Designated Officer, Nijera Kori, Upazila: Subarna Char, Dist: Noakhali under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) Copy of ownership deed of the land occupied by 'Nijera Kori' NGO at Thanar Hat Bazar;
- 2) If the land belongs to the government, how many years is Nijera Kori occupying it?
- 3) What is the present market price of the said land?
- 4) How much is the loss of revenue of the government till date?

02. Though the complainant went to the office of the Nijera Kori NGO at Subarna Char for submitting the application for information four times, none of that office received the application. Later on, he filed this petition of complainant to the Information Commission on 16.09.2012 without filing any appeal.

03. The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

04. On the date of hearing the Designated Officer remained present, but the complainant remained absent. Next date was fixed on 30.12.2012 and accordingly summonses were issued.

05. On the date of hearing re-fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. He further added that though he went to the office of the Nijera Kori NGO for four times at Subarna Char for submitting the application for information, none of that office received the application. Later on, he filed this petition of complainant to the Information Commission on 16.09.2012 without filing any appeal.

06. The Designated Officer, Begum Ayesha Siddika Laki, stated in her deposition that they did not get any application of such a nature. On a query put by the Commission as to how did they get the ownership of the government land occupied by Nijera Kori NGO, the Designated Officer said that as per verbal order of the then Deputy Commissioner said land was allotted to them in 1985. However, the matter of formal allocation is pending in the Ministry of Land. She ensured to provide the requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted, it reveals that the application for information could not reach the Designated Officer. However, she ensured to provide the requested information to the complainant. As the Designated Officer ensured to provide the requested information to the complainant, hence, the case is considered to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.01.2013 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 81/2012

Complainant: Mr. Abdul Mannan Bhuiya
S/o: Sakhayet Ullah Bhuiya
Vill: East Char Jabbar, P.O:W. Char Jabbar
Upazila: Subarna Char, Dist: Noakhali

Opposite party: Begum Ayesha Siddika Laki
Regional President/Coordonator
& Designated Officer, Nigera Kori
Subarna Char, Noakhali

Decision Paper
(Date: 30.12.2012)

01. The complainant submitted an application on 02.08.2012 to the Regional President/Coordonator & Designated Officer, Nigera Kori, Upazila: Subarna Char, Dist: Noakhali under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) List of the works done by 'Nigera Kori' in Subarna Char till date;
- 2) Names and addresses of the beneficiaries along with detail information;
- 3) List of the employees of 'Nigera Kori' working/have worked in Subarna Char along with their C.V and photographs;
- 4) What are the sources of income of 'Nigera Kori'? Name of the fund from which salary of the employees is paid.
- 5) Name of the govt. officer who inspected 'Nigera Kori' office last.

02. Though the complainant went to the office of the Nijera Kori NGO at Subarna Char for submitting the application for information four times, none of that office received the application. Later on he filed this petition of complainant to the Information Commission on 16.09.2012 without filing any appeal.

03. The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

04. On the date of hearing the Designated Officer remained present, but the complainant remained absent. Next date was fixed on 30.12.2012 and accordingly summonses were issued.

05. On the date of hearing the Designated Officer remained present, but the complainant remained absent without showing any reason. The complainant remained absent during hearing for two consecutive dates.

Discussion

As the complainant remained absent during hearing consecutively for two times, it reveals that the complainant is not eager to have requested information. So, the case is considered to be disposable.

Decision

As the complainant remained absent during hearing consecutively for two times, hence, the case is dismissed.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 82/2012

Complainant: Mr. Mirza Fazle Ahmed

S/o: Late Mirza Sultan Ahmed
147/7/1, South Jatrabari
Power Office Goli
Dhaka-1204

Opposite party: Begum Munmun Sultana

Designated Officer &
Assistant Director (Operations)
Public Relations Officer (Addl. Charge)
Ansar & VDP HQ, Khilgaon, Dhaka

Decision Paper
(Date: 27.11.2012)

The complainant submitted an application on 29.07.2012 to Mr. Aiyub Ali, Designated Officer & Public Relations Officer (CC), Ansar & VDP HQ, Khilgaon, Dhaka, under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) Memo. No. 2263/Admin (A)/Ansa Dated: 28.12.97;
- 2) Memo. No. 464/Admin (A)/Ansa Dated: 25.03.98;
- 3) Memo. No. 1482/Admin (A)/Ansa Dated: 16.09.98;
- 4) Memo. No. A-V/1555/Admin (A)/Ansa Dated: 14.09.2000;
- 5) Copies of 3 inquiry reports submitted vide Memo. No.Provision/1220/1(5)/A-V Dated:29.10.2000 and
- 6) Copies of consecutive orders passed with reference to Jamak/ Misc.-45/56/08/1495 Dated: 24.10.2010

Having received none of the requested information the complainant submitted an appeal on 26.08.2012 to the Director General, Ansar & VDP Headquarter, Dhaka. Getting no remedy within the time limit even on submission of appeal he filed this petition of complainant to the Information Commission on 16.09.2012.

The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as per provisions of the Right to Information Act. Getting no information he submitted an appeal to the appellate authority. Getting no remedy even on submission of appeal he filed this petition of complainant to the Information Commission.

The Designated Officer, Begum Munmun Sultana, stated in her deposition that she had been newly appointed as Designated Officer. She could not supply requested information to the complainant as she was not aware of the complaint. She ensured that if she is given some time, she would be able to provide the requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted, it reveals that as the Designated Officer ensured the delivery of the requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 10.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 83/2012

Complainant: Mr. Md. Lutfar Rahman

Vill: Belab Matialpara
P.O: Belab Bazar
P.S: Belab
Dist: Narshingdi

Opposite party: Mrs. Nargis Begum

Deputy Director (Admin)
& Designated Officer
Bangladesh Jute Research Institute
Manik Mia Avenue, Dhaka-1207

Decision Paper
(Date: 27.11.2012)

The complainant submitted an application on 27.06.2012 to Mrs. Nargis Begum, Deputy Director (Admn.) of Bangladesh Jute Research Institute under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) The matter is related with the Illegal cancellation of allocation of legally allocated house no. C-128/1 by BJRI and directing the very trifling matter conspiringly in a motivated way towards drawing a 'false and baseless' departmental case on 12.01.2099 against the complainant which was automatically waved on 14.10.2009 as per Reg. No. 43(8) of the Bangladesh Jute Research Institute Employees' Service Regulations. The BJRI authority instead of disposing the case properly under Reg. 43 started the case on the same issue and prepared the charge along with statement of allegation for the third time. Most probably the memo. No. of the charge-sheet was BJRI/EST-1556(3)/2010/3425 dated 24.05.2011 and the Memo. no. of the statement of allegations was unknown.
- 2) Copy of the 10 page charge sheet dated 17.07.2011 levelled and lodged against Mr. Md. Momtajuddin, former Deputy Director (Admin) of BJRI.
- 3) Copy of the memorandum submitted by the 3 member committee formed for the third time on the basis of automatically waved allegations of similar nature on 14.10.2009 as per Reg. No. 43(8) instead of accepting the joining report dated 04.05.2010 which is contrary to the Regulations, 1990. Most probably the memo. No. of the above was BJRI/EST-1556(3)/2010/618 dated 21.08.2011
- 4) Memo. No. the letter signed by the convener of the 3 member inquiry committee dated 18.09.2011 requesting the charge-sheeted officer to attend the committee in the said departmental case.
- 5) Copy of the complete inquiry report along with all supporting papers submitted by the 3 member committee on 29.09.2011.
- 6) Copy of the Show Cause Notice dated 25.10.2011 issued by BJRI as to why the incumbent shall not be dismissed from service.
- 7) Copy of the Memo. No. Research-3/Jute-3/2011/40 dated 30.01.2012.

- 8) Copy of the self-contained report along with attached papers regarding up to date steps taken on the basis of application/complaint vide Memo. No. BJRI/EST-1556(3)/2010/3742 dated 08.02.2012 which was sent to the Ministry of Agriculture.
- 9) Copy of the Memo. No. BJRI/EST-1556(3)/2010/4347 dated 05.04.2012 seeking for instructions of the Ministry of Agriculture regarding the joining letter of the security officer.
- 10) Copy of the letter of the Ministry of Agriculture issued to the Director General of BJRI through Memo. No. Research-3/Jute-03/2011/106 dated 08.04.2012 containing instruction to dispose of the long pending departmental case by accepting his joining report dated 27.03.2012.
- 11) Copy of the Memo. No. Research-2/Jute-03/2011/108 dated 09.04.2012 of the Ministry of Agriculture regarding reinstatement in the service.
- 12) By not implementing the decision given firstly by Memo. No. Research-3/Jute-02/2008/116 dated 07.04.2009 regarding the false and baseless departmental case drawn against him the BJRI authority biasing a high official of the Ministry of Agriculture managed to have an opposite memorandum and made the complexity for revival of the same. Creating impediment in conducting life and livelihood of a general employee like him and violating the latest order/decision of the ministry communicated vide Memo. No. Research-3/Jute-03/2011/106 dated 08.04.2012 on the same issue for acceptance of the joining letter the BJRI authority sent a letter referring to a wrong file number along with that memorandum and other papers to the ministry. Requested Memo. No. is BJRI/EST-1556(3)/2010/4873 dated 20.05.2012.

Having received none of the requested information the complainant submitted an appeal on 12.08.2012 to the Appellate Authority the Secretary of the Ministry of Agriculture. Getting no remedy within the time limit even on submission of appeal he filed this petition of complainant to the Information Commission on 27.09.2012.

The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and having no information he submitted an appeal to the appellate authority. Getting no remedy even on submission of appeal he filed this petition of complainant to the Information Commission. Later on, some partial information was supplied to him by post.

The Designated Officer Mrs. Nargis Begum stated in her deposition that she was not aware of the Right to information Act, 2009 and as such she provided partial information to the complainant. She did not supply the information not related to him. On being aware of the law she brought with her complete information today to deliver it to the complainant and ensured the delivery.

Discussion

After hearing the statements of both the parties and considering the documents submitted it reveals that as the Designated Officer ensured the delivery of the requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 84/2012

Complainant: Mr. Md. Mostafa Alam

S/o: Md. Shah Alam
648, Harua College Road
Nirala Goli
Kishoreganj-2300

Opposite party: KM Rasheduzzaman Raja

Deputy Secretary (Opinion-2)
& Designated Officer
Law and Justice Department
M/o Law, Justice & Parliamentary Affairs
Bangladesh Secretariat, Dhaka

Decision Paper

(Date: 27.11.2012)

The complainant submitted an application on 15.07.2012 to the Deputy Secretary of the Ministry of Law, Justice & Parliamentary Affairs under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- Information regarding the names and addresses of all the organizations/ institutions under the Ministry of Law, Justice & Parliamentary Affairs along with the name, designation and e-mail address of the Designated Officers of such organizations/institutions.

Having received none of the requested information the complainant submitted an appeal on 27.08.2012 to the Appellate Authority. Name, designation and address of the appellate authority have not been mentioned in the appeal petition. But in the petition of complaint submitted to the Information Commission the designation of the appellate authority has been mentioned as Secretary. Getting no remedy within the time limit even on submission of appeal he filed this petition of complainant to the Information Commission on 03.10.2012.

The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer by registered post as per provisions of the Right to Information Act. Getting no information he submitted an appeal to the

appellate authority. Getting no remedy even on submission of appeal he filed this petition of complainant to the Information Commission.

The Designated Officer Mr. KM Rasheduzzaman Raja stated in his deposition that he did get the application for information submitted by the complainant earlier. On receipt of summons from the Information Commission he being aware of the matter collected and brought requested information with him for supplying it to the complainant. He also ensured to deliver it to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted it reveals that as the Designated Officer ensured the delivery of the requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 85/2012

Complainant: Mr. Md. Mokhlesur Rahman

S/o: Abdul Bari Howladar
Idgah Road, Sabujbag
Patuakhali

Opposite party: Mr. Nawab Ali

Registrar & Designated Officer
Patuakhali University of Science
& Technology, Patuakhali

Decision Paper

(Date: 27.11.2012)

The complainant submitted an application on 30.07.2012 to Mr. Nawab Ali, Registrar, Patuakhali University of Science & Technology under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) List of persons who acted as Vice Chancellors of Patuakhali University of Science & Technology (PUST) since its inception containing their names, date of joining and duration of their service.
- 2) List of the teachers, officers and employees presently working in Patuakhali University of Science & Technology containing their names, date of joining and duration of their service.
- 3) Copies of the laws framed by the government for the university and regulations framed by the university.
- 4) A complete list of allegations regarding financial irregularities, audit objections, illegal recruitment and others leveled against the former Vice Chancellors and many of those allegations are at present under inquiry and stages of such inquiries.
- 5) Separate lists of recruits during different former Vice Chancellors regime including their names, designations and date of joining.
- 6) Educational qualification, date of appointment and date of joining of Md. Saidur Rahman Jewel, Section Officer, Establishment of PUST, Dumki, Patuakhali. Kind of appointment- muster-roll, part-time or permanent. Whether appointment was given through any advertisement or not, if so, copy of the advertisement along with the process. Is there any rule for part-time appointment as per guidelines of the university? If so exists, copy of the documents.
- 7) Educational qualification, date of appointment and date of joining of Jalal Ahmed Mridha, Electrician of PUST, Dumki, Patuakhali. Kind of appointment- muster-roll, part-time or permanent. How was he appointed as Administrative Officer from Electrician? Copy of rules of such an appointment. Where did he fight under whose command? Copy of the documents in favour of his being a freedom fighter.

- 8) Educational qualification, date of appointment and date of joining of Md. Mizanur Rahman Taman, Section Officer, Establishment of PUST, Dumki, Patuakhali. Kind of appointment- muster-roll, part-time or permanent. Whether appointment was given through any advertisement or not, if so, copy of the advertisement along with the process.
- 9) Date of appointment and date of joining of Md. Nawab Ali, Registrar. Where is his former place of posting? Whether is it true that he has been serving in PUST as Registrar taking lien from Kustia University as Officer? If so, is there any such provision? Copy of such rules.
- 10) Educational qualification, date of appointment and date of joining of Mr. AKM Mostafa Jamal, Dean of Agriculture Faculty and Director of Srijani Bidya Niketan. Kind of appointment- muster-roll, part-time or permanent. Whether appointment was given through any advertisement or not, if so, copy of the advertisement along with the process. Copy of income and expenditure of the Agriculture Faculty and Director of Srijani Bidya Niketan during his tenure. Whether was any inquiry committee constituted for different news items published in the newspapers or leaflet or hand-bills? If so constituted, photocopy of the original inquiry report. Whether is the authority aware of his events of moral turpitude? If so, what action was taken against him on this issue?
- 11) Educational qualification, date of appointment and date of joining of Mr. Asaduzzaman Mia (Munna), Assistant Professor of Agriculture. Kind of appointment- muster-roll, part-time or permanent. Whether appointment was given through any advertisement or not, if so, copy of the advertisement along with the process. Whether is the authority aware of his events of moral turpitude? If so, what action was taken against him on this issue?
- 12) Educational qualification, date of appointment and date of joining of Md. Lutfar Rahman, Section Officer, Controller of Examination Office and Kind of appointment- muster-roll, part-time or permanent. Whether appointment was given through any advertisement or not, if so, copy of the advertisement along with the process.
- 13) Copies of all internal audit reports since inception of PUST.
- 14) How many times did the present V.C make foreign tours? List of the entourage.
- 15) Which of the authorities did bear the expenses? Copies of such proofs.
- 16) Which projects have been completed or are being completed during the tenure of the present V.C? Copies of project-wise statement of allocation and expenditure.
- 17) Complete list of the members of the Regent Board. Which are the factors considered for being a member of the Regent Board and who is the person to decide?
- 18) Statement regarding the sectors where the present V.C participated in the freedom fight.
- 19) Date of birth of the present V.C as per certificate.
- 20) List of the organizations where the present V.C served earlier.
- 21) Have how many officers and employees been working in the PUST by submitting false documents?

Having received no information the complainant submitted an appeal on 10.09.2012 to the Vice Chancellor of PUST, Prof. Dr. Syed Sakhawat Hossain. Getting no remedy within the time limit even on submission of appeal he filed this petition of complainant to the Information Commission on 07.10.2012.

The complaint was discussed in the meeting of the Commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act and having no information he submitted an appeal to the appellate authority. Getting no remedy even on submission of appeal he filed this petition of complaint to the Information Commission.

The Designated Officer Mr. Nawab Ali stated in his deposition that he prepared the requested information and sent a letter requesting the complainant to receive information on payment of the cost of information. After payment of the cost of information he was requested to receive partial information, but he refused to receive. He brought that partial information with him for delivering it to the complainant and prayed for some time for giving complete information.

Discussion

After hearing the statements of both the parties and considering the documents submitted it reveals that as the Designated Officer ensured the delivery of the requested information to the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 05.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules, 2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 87/2012

Complainant: Mr.Md. Abdul Jabbar
Valient Freedom Fighter
S/o Late Jaynul Abedin
45/1,-C, Kalyanpur
Road No.11, Dhaka-1207

Opposite party: Mr.Md. Humayun Kabir
Deputy Senior Executive
& Designated Officer
Trading Corporation of Bangladesh
Karwan Bazar,TCB Building, Dhaka

Decision Paper
(Date: 27.11.2012)

The complainant submitted an application on 02.09.2012 to Mr.Md. Humayun Kabir, Deputy Senior Executive of the Trading Corporation of Bangladesh & Designated Officer under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- **Attested copies of the minutes of the Board Meeting held in the month of September, 2002 regarding retrenchment of employees and the list of the then Directors along with their names.**

Having received no information within the time limit the complainant preferred an appeal to the Appellate Authority & Chairman, Trading Corporation of Bangladesh on 03.10.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 18.10.2012.

The complaint was discussed in the meeting of the commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

On the date fixed for hearing both the Complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information to the Designated Officer as per provisions of the Right to Information Act. Getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

The Designated Officer, Mr. Md. Humayun Kabir stated in his deposition that no employee was retrenched. However, some were released. As there was no decision taken in the Board Meeting

regarding retrenchment, it was not possible to provide him any information. He ensured that if the complainant requests for any specific information, he will be provided with that information.

Discussion

After hearing both the parties and examining the documents produced, it reveals that the subject matter of the request for information is not specific and clear. As the Designated Officer ensured the delivery of information on submission of any specific request for information by the complainant, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 07.12.2012 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 88/2012

Complainant: Mr.Ripon Chakma

S/o: Sunity Chakma

Vill: Khabangparia

P.O.+ Upazila: Khagrachhari

District: Khagrachhari

Opposite party: Mr.Md Shariful Islam

Project Implementation Officer (PIO)

& Designated Officer

Office of the PIO, Khagrachhari Sadar

Khagrachhari Hill District

Decision Paper

(Date: 27.11.2012)

The complainant submitted an application on 13.08.2012 to Mr.Md. Shariful Islam, Project Implementation Officer of Khagrachhari Sadar Upazila & Designated Officer under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- Copies of the order of allocation, number of projects, name of the projects, name and address of the Project Chairmen along with relevant papers of Test Relief and Food for Works (1st and 2nd phase) in Khagrachhari Sadar Upazila (constituency wise) for the year 2011-2012.

Having received no information within the time limit the complainant preferred an appeal to the Appellate Authority & District Relief and Rehabilitation Officer, Mr. Md. Mahisunul Haque on 24.09.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 22.10.2012.

The complaint was discussed in the meeting of the commission on 06.11.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 27.11.2012.

On the date fixed for hearing both the Complainant and the Designated Officer remained absent. The complainant submitted through a letter that his application was sent to a wrong address. He prayed for withdrawal of the complaint and begged apology for his unintentional wrong doing.

Discussion

As the complainant prayed for withdrawal of the complainant by sending a letter to the Commission, the case seems to be disposable.

Decision

As the complainant prayed for withdrawal of the complainant by sending a letter to the Commission, the case is treated as disposed of.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 89/2012

Complainant: Mr. Sheikh Rabiul Islam
S/o: Late Sheikh Abdur Rob
136/1, West Kafrul (5th floor)
Agargaon, Dhaka

Opposite party: Begum Nurun Akhtar
Assistant Director (Training)
& Designated Officer
BIAM Foundation
63 New Eskaton, Dhaka

Decision Paper
(Date: 31.12.2012)

01. The complainant submitted an application in prescribed form on 19.07.2012 to Begum Nurun Akhtar, Assistant Director (Training) of the BIAM Foundation & Designated Officer under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

01. Mr. Mohammad Sadique received an amount of Tk. 18,000 in total @ Tk. 6,000 per month as salary and allowances from the BIAM Foundation on the ground of discharging additional duties as stated in the petition dated 20.05.2012. He did not send the acknowledgement receipt. Government approved 184 posts for BIAM Foundation on observance of all formalities as per rules. Though there is no provision for payment for discharging additional duty in the Memo. No. ED (Dev. & Budget)-10/2004(Part-1)-69 dated 12.03.2007 (issued on approval by the then Chief Adviser), he received more or less the said amount of money in violation of the conditions of the said memo. I requested the Designated Officer to send a copy of the acknowledgement receipt of the said amount of salary and allowances.
02. The Governing Body of the BIAM Foundation in its 7th meeting abolished 3 out of 6 posts of Course Coordinator in the organization structure on 20.07.2005. On that date 3 persons namely Syeda Akhtar, Najnin Sultana and Sayera Parveen were in the service against those 3 posts of Course Coordinator. I requested the Designated Officer to give me the receipts of payment as salary and allowances of those 3 for the month of July, 2005 as per provision of RTI Act.
03. Course Coordinator Syeda Akhtar was appointed as Assistant Director (Training) of the BIAM Foundation in 2006. I requested the Designated Officer to send me the copy of the posting order/ the receipt of the salary and allowances as per RTI Act.
04. Mr. Mohammad Shahidul Alam abusing his power appointed one Dil Ara Keya as Course Coordinator on 05.09.2005 without any advertisement. BIAM Foundation, Dhaka published an employment notice in the Daily Prothom Alo on 06.10.2005 for 2 posts of Course Coordinator and appointed said Dil Ara Keya and Salauddin Ahmed Khan to those two posts on 06.12.2005. Salary and allowances were paid to four Course Coordinators namely Naznin Sultana, Sayera Parveen, Dil Ara Keya and Salauddin Ahmed Khan from 06.12.2005 to July,

2007 violating the decision of the 7th meeting. The amounts were Tk. 11,543.75, Tk.11,543.75 , Tk. 10,540.00 and Tk. 11,543.75 respectively for the month of July, 2007. I requested the Designated Officer to send me the copy of the receipt of the salary and allowances for the month of July, 2007 as per RTI Act.

05. Appointment of about 110 employees violating the terms and conditions of the Memo. No. ED(Dev. & Budget)-10/2004(Part-1)-69 dated 12.03.2007 (issued on approval by the then Hon'ble Chief Adviser) for creating 184 posts for the BIAM Foundation was reported on 25.05.2010 by the Work Evaluation Committee consisting of 5 members headed and signed by former Secretary Md. Nazrul Islam along with a report and a top sheet. I requested the Designated Officer as per provisions of the RTI Act to send me the copy of the said report submitted by former Secretary Md. Nazrul Islam, convener of the Work Evaluation Committee.

02. Having received none of the requested information within the time limit he preferred an appeal to Mr. Abdus Sobhan Sikdar, the Secretary of the Ministry of Public Administration & Appellate Authority on 07.10.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 01.11.2012.

03. The complaint was discussed in the meeting of the commission on 10.12.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 31.12.2012.

04. On the date fixed for hearing both the Complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 as per provisions of the Right to Information Act. Getting no information he preferred an appeal to the appellate authority. Getting no remedy even on submission of appeal he lodged the petition of complaint to the Information Commission.

05. The Designated Officer stated in her deposition that she supplied partial information as found and preserved in the office of the BIAM Foundation to the complainant. The rest of the requested information is not available in this office. She ensured the delivery of the rest of the requested information to the complainant subject to availability.

Discussion

After hearing the statements adduced by the complainant and the Designated Officer and examining the documents produced, it reveals that the Designated Officer supplied partial information as found available in the office of the BIAM Foundation to the complainant. The remaining part of the requested information could not be supplied as it was not preserved and not available in the office. As the Designated Officer ensured the delivery of rest of the requested information to the complainant subject to collection on availability, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide rest of the requested information to the complainant by 07.01.2013 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 90/2012

Complainant: Mr.Md. Shamim Hossain
S/o: Md. A Hakim
Room No. 107
Ziaur Rahman Hall
Dhaka University

Opposite party: Dr. Pradip Kumar Dutta
Upazila Health & Family Planning Officer
& Designated Officer
Upazila Health Complex
Hajiganj, Chandpur

Decision Paper
(Date: 31.12.2012)

01. The complainant submitted an application on 26.07.2012 to Dr. Pradip Kumar Dutta, Upazila Health & Family Planning Officer, Upazila Health Complex, Hajiganj, Chandpur & Designated Officer under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

01. Copy of the guidelines for management of the Thana/Upazila govt. hospital.
02. List of medicines supplied free of cost from the Thana/Upazila govt. hospital.
03. List of medicines received by your hospital during January to June, 2012 and distribution thereof to the patients.

02. Having received no information within the time limit the complainant preferred an appeal to the Appellate Authority & Civil Surgeon, Chandpur on 30.09.2012. The Appellate Authority directed, the Upazila Health & Family Planning Officer, Upazila Health Complex, Hajiganj, Chandpur & Designated Officer, Dr. Pradip Kumar Dutta to provide requested information to the complainant as per provision of the Right to Information Act, 2009 vide Memo. No. CS, Chand/Sec-1/12/1857/1(1). Yet he did not get the requested information and as such lodged the petition of complaint to the Information Commission on 21.11.2012.

03. The complaint was discussed in the meeting of the commission on 10.12.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 31.12.2012.

04. On the date fixed for hearing the Complainant remained absent and Mr. Nur Mohammad, Store Keeper, Upazila Health Complex, Hajiganj, Chandpur remaining present submitted hazira (attendance) on behalf of the Designated Officer. He stated that requested information had been provided to the complainant.

05. The complainant informed the Deputy Director (RP&T) of the Commission, Mrs. Nurun Nahar Begum over telephone that he had received all of his requested information and sent a prayer to the Commission for withdrawal of the complaint.

Discussion

The complainant informed the Commission that he already received his requested information and prayed for withdrawal of the complaint; the case seems to be disposable.

Decision

As the complainant informed the Commission that he already received his requested information and as he prayed for withdrawal of the complaint, hence, the case is disposed of.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 91/2012

Complainant: Mr.Md. Shamin Hossain
S/o: Md. A Hakim
Room No. 107
Ziaur Rahman Hall
Dhaka University

Opposite party: Mr. M Shefayet Hossain
Public Relations Officer
& Designated Officer
M/o Post & Tele Communications
Bangladesh Secretariat, Dhaka

Decision Paper
(Date: 31.12.2012)

01. The complainant submitted an application by registered post on 29.08.2012 to Mr. M Shefayet Hossain, Public Relations Officer of the Ministry of Post & Tele Communications & Designated Officer under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

01. Name of the printers purchased for govt. post offices in the year 2011-2012 and the names of the supplier.
02. Copy of the decision for awarding the contract to that organization to supply the printers and the name and address of the persons who were involved with the decision making process.
03. Copy of the contract made with the supplier.
04. Photocopy of the file relating to accounts for purchase of the printers.

02. Having received no information within the time limit the complainant preferred an appeal to the Appellate Authority & Secretary of the Ministry of Post & Tele Communications on 14.10.2012 by registered post. Getting no information or remedy even on submission of appeal he lodged the petition of complaint to the Information Commission on 21.11.2012.

03. The complaint was discussed in the meeting of the commission on 10.12.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 31.12.2012.

04. On the date fixed for hearing the Complainant remained absent and the Designated Officer, Mr. M Shefayet Hossain remaining present submitted hazira. He stated that requested information had been provided to the complainant.

05. The complainant informed the Deputy Director (RP&T) of the Commission, Mrs. Nurun Nahar Begum over telephone that he had received all of his requested information and sent a prayer to the Commission for withdrawal of the complaint.

Discussion

The complainant informed the Commission that he already received his requested information and prayed for withdrawal of the complaint; the case seems to be disposable.

Decision

As the complainant informed the Commission that he already received his requested information and as he prayed for withdrawal of the complaint, hence, the case is disposed of.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Bhaban (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207
Fax-088 02 9110638

Complaint No. 92/2012

Complainant: Mr. Md. Lutfar Rahman

Vill: Belab Matialpara
P.O: Belab Bazar
P.S: Belab
Dist: Narshingdi

Opposite party: Mrs. Nargis Begum

Deputy Director (Admin)
& Designated Officer
Bangladesh Jute Research Institute
Manik Mia Avenue, Dhaka-1207

Decision Paper
(Date: 31.12.2012)

01. The complainant submitted an application on 16.10.2011 to Mr.Md. Momtaz Uddin, Deputy Director (Admin) of Bangladesh Jute Research Institute under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- 1) The inquiry report submitted by the CSO of the Chemical Department of the Technical Wing and Convener of a 3 member committee constituted vide Memo. No. CS-132/95/2/4677(8) dated 29.06.2006 of BJRI, Dr. Isidor Gomej regarding the theft in the "Pilot Plant and Weaving Department of the Technical Wing". (This report was sought for in sl. No. 3 of the annexure 'Ka' of the application dated 18.04.2011. Information given in response to that application vide Memo. No. BJRI/Admin/Misc-1423/2011/3434 dated 25.05.2011 in the comment column of sl.no.3 is not reasonable.)
- 2) The petition of complaint containing charges illegally levelled against me dated 17.03.2005 and jointly signed by 15 guards in violation of the Bangladesh Jute Research Institute Employees' Service Regulations, 1990. (This was mentioned in the 2nd position of the 4 charges stated in sl. No. 6 of my application in additional paper for information dated 18.04.2011 in annexure 'ka'. But the jointly signed charges dated 17.03.2005 as stated in sl.no. 6 were not provided and other 3 charges as stated in sl.no.5 were provided vide Memo. No. BJRI/Admin/Misc-1423/ 2011 /3434 dated 25.05.2011.)
- 3) Copy of the Memorandum (if any) extending time for holding inquiry along with the prayer for extension of time submitted by the 2 member committee constituted vide Memo. No. EST-1556/ 04/477(3) dated 07.08.2005.
- 4) Copies of two Memoranda extending time for holding inquiry along with two prayers for extension of time submitted by the 2 member committee or convener of the committee constituted vide Memo. No. Admin/Misc-1299/2005/196(7) dated 19.07.2006.
- 5) Copy of the Memo. No. CS/331/2005/2/3554(1) dated 09.04.2006 of BJRI and other papers attached with the inquiry report on the theft of monogram installed in the guard room as it was not provided to me earlier.

- 6) Copy of the inquiry report dated 24.04.2006 regarding the theft of monogram installed in the guard room on 23.03.2006, date of receipt of the said report and copy of such acknowledgement.
- 7) Date of receipt of the inquiry report dated 09.10.2005 on the allegations dated 02.05.2005 submitted against me and acknowledgement thereof.
- 8) Date of receipt of the evaluation report dated 05.09.2006 by BJRI administration for regularization of my service and acknowledgement thereof.
- 9) Date of receipt of the allegations dated 10.03.2005 submitted by the Ansars to the District Adjutant of Ansar by BJRI administration and acknowledgement thereof.
- 10) Date of receipt of the allegations dated 20.12.2006 submitted by the Ansars by BJRI administration and acknowledgement thereof.
- 11) Copies of two other allegations filed against me by all the guards other than the three dated 17.03.2005, 20.12.2006 and 28.04.2008. (Dates of such two allegations could not be specifically mentioned as dates were not known. The date of forwarding of one allegation may be 12.08.2008 and both the allegations were probably forwarded by the Assistant Director of general section.)
- 12) Copies of allegations, if any, submitted by any of the employees of BJRI other than the guards of BJRI.
- 13) Copy of my joining letter dated 15.09.2004 with reference to Memo. No. SB-36/4/2004/869(1) dated 07.09.2004 of BJRI.
- 14) Copy of my letter dated 17.05.2006 with reference to Memo. No. Admin/Misc-1305/4017(1) dated 31.05.2006 of BJRI.
- 15) Copies of documents including the memorandum along with the statement of charges initiated against Director (Admin & Finance) of BJRI, Captain (Retd) Abu Bakr in 2006 and his replies submitted in repose to the charges brought against him along with all the correspondences made with the Ministry of Agriculture.
- 16) Copy of the explanation dated 17.05.2006 submitted by the guards with reference to Memo. No. Admin/Misc-725/84/1116 dated 25.09.2008 of BJRI along with that memorandum.
- 17) Copy of my statement, which was made signed against my will on fraudulent and false assurance on 24.03.2009 and submitted during my first personal hearing, regarding the allegations leveled against me in the departmental case conspiringly initiated with ill motive through Memo. No. EST-1556/04/3281(1) dated 23.03.2009 of BJRI.
- 18) Date of sending the copy of the Memo. No. EST-1556/04/3445 dated 05.04.2009 of BJRI to the Senior Assistant Secretary, Research Section 3 of the Ministry of Agriculture and acknowledgement thereof.
- 19) Copy of the transfer order through which Md. Momtaj Uddin, Deputy Director (Admin), Current Charge was placed as Assistant Director of Accounts (Dev) and copies of the orders through which he was given additional charge and later on the current charge of the Deputy Director.
- 20) The memoranda through which Dr.M Shahadat Hossain joined and made over charge as the Director General of BJRI.
- 21) Copies of the memoranda through which Dr.Md. Abdus Sattar joined and made over charge as the Director General of BJRI.
- 22) Copies of the memoranda through which Dr.Md. Firoj Shah Sikder joined and made over charge as the Director General of BJRI.
- 23) Copies of the memoranda through which Mr. Md. Asaduzzaman joined and made over charge as the Director General of BJRI.
- 24) Copies of the memoranda through which Mr. Md. Abu Taher joined and made over charge as the Director General of BJRI.

- 25) Copy of the memorandum through which Dr.Md. Kamal Uddin joined as the Director General of BJRI.
- 26) Copies of the memoranda through which Mr. Momtaj Uddin took and made over charge as Assistant Director (General section) while he was Assistant Director (establishment).
- 27) Copies of the memoranda through which Mr. Md. Moslehuddin Chowdhury took and made over charge as Assistant Director (General Services).
- 28) Copy of the memorandum through which Mr.Md. Manzur Hassan took and made over charge as Assistant Director (General Service).
- 29) Copy of the memorandum through which Mr.Md. Suruz Mia took over charge as Assistant Director (General Services Section) for the first time and copy of the memorandum through which he made over charge to Mr. Md. Jahangir Hossain.
- 30) Copies of the memoranda through which Mr.Md. Jahangir Hossain took and made over charge as Assistant Director (General Services Section).
- 31) Copies of the memoranda through which Mr.Md. Jahangir Hossain took and made over charge as Assistant Director (General Services Section) for the second time.
- 32) Copy of the memorandum through which Mr. Gazi Akhtar Hossain took over the current charge of Security Officer.

02. The Designated Officer supplied information vide Memo. No BJRI/Admin/Misc-1423/2011/1899 (1) dated 28.11.2011 to the complainant. Later on being aggrieved for supplying incomplete, wrong, misleading and motivated information he preferred an appeal to Mr. Manzur Hossain, Secretary of the Ministry of Agriculture and Appellate Authority on 30.09.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 21.11.2012.

03. The complaint was discussed in the meeting of the Commission on 10.12.2012 and as per decision of the meeting summonses were issued to the concerned parties fixing date of hearing on 31.12.2012.

04. On the date of hearing fixed through summons issued by the Commission the complainant and the Designated Officer remaining present adduced their statements. The complainant stated in his deposition that he submitted the request for information as stated in paragraph no. 01 to the Designated Officer as per provisions of the Right to Information Act. The Designated Officer supplied information on 28.11.2011 to the complainant. The complainant termed the supplied information as incomplete, wrong, misleading and motivated. Being aggrieved by such information he preferred an appeal to Mr. Manzur Hossain, Secretary of the Ministry of Agriculture and Appellate Authority on 30.09.2012. Getting no remedy even on submission of appeal he filed the petition of complaint to the Information Commission on 21.11.2012.

05. The Designated Officer, Mrs. Nargis Begum, stated in her deposition that she supplied partial information and ensured to provide rest of the requested information to the complainant.

Discussion

After hearing the statements of both the parties and considering the documents submitted, it reveals that the Designated Officer provided partial information and ensured the delivery of rest of the requested information to the complainant. Hence, the case seems to be disposable.

Decision

The case is disposed of with the following directions:

01. The Designated Officer is directed to provide requested information to the complainant by 10.01.2013 or earlier subject to realization of cost of information.
02. The Designated Officer is directed to deposit the amount realized as cost of supplied information to the govt. treasury in code no. 1-3301-0001-1807 as per section 9 of the Right to Information Act, 2009 and Rule 8 of the Right to Information (Receipt of Information) Rules,2009.
03. Both the parties are directed to inform the Commission on compliance of the directions.

Send copies of the order to all the parties concerned.

sd/
(Prof. Dr. Sadeka Halim)
Information Commissioner

sd/
(Mohammad Abu Taher)
Information Commissioner

sd/
(Mohammed Farooq)
Chief Information Commissioner