

Information Commission

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

Complaint No: 01/2014

Complainant: Mr. Md. Tariqul Islam 'Linkon'	Opposite Party: Mr. Nazrul Islam Misha
Father- Md. Abdul Majid Mian	Public Relations Officer
62/3/B, Dakkshin Mugdapara	&
Dhaka.	Designated Officer (RTI)
	B.I.W.T.C,
	5, Dilkusha, Motijheel, Dhaka.

Decision Paper

(Date : 27-01-2014)

Mr. Md. Tariqul Islam 'Linkon', the applicant, submitted an application to Mr. Nazrul Islam Misha, the Public Relations Officer at B.I.W.T.C & Designated Officer (RTI), via a GEP post with request to provide the following information on 25-08-2013 as per section 8(1) of the Right to Information Act, 2009-

Harassment regarding the payment of bills for the repairing work of the Base Store at Chittagong Terminal No. 1. The following information were asked for regarding the present status of the complaints of corruption and irregularities against some of the officers including Shahinur Bhuiyan, the Financial Director of the relevant agency and the investigation thereof along with the present state of the said bill:

- The supervisory committee did not publish any report till 1 year being passed after finishing its inquiry. Complaints were submitted against him regarding the relevant matters and being compelled by more than one reminders by the agency one irrational, unreal, false report was sent which in turn was proved to be almost 100% false by numerous subsequent investigations. Afterwards, he was requested by the employees section to send a correct report. He has not sent any report in that regard.

Required Information:

If any action was taken against or any explanation was obtained from the convener of the committee?

- The final bill for the work not being possible to be paid out due to the convener of the committee and the member engineer having submitted different reports, one current bill was paid which was sent to the accounts department for payment with the approval of the honourable Chairman by the recommendation of the Director in charge. But the bill was paid approximately after four months with a deduction of Tk. 45,000/-.

Required information:

The description of all the procedures after submission to the accounts department and the reasons for the deduction of Tk. 45,000/-

- Afterwards, with a gap of a long time when an application was submitted to the honourable Chairman, an order was passed to the committee comprising of 3 members

including the G.M (Accounts) to estimate the volume of work done within 10 days.

Required actions:

What report did the committee submit after how many days? A copy of the report is requested to be sent with date.

- At last a bill of 3,39,000/- taka was sent to the accounts department for payment with the approval of the honourable Chairman. A complaint of corruption was submitted to the Chairman against the Financial Director on the last 12-10-2012 due to his not paying the sent bill by keeping it withheld for about more than 2 months through the audit department.

Required information:

(a) Description of the procedure followed by the accounts department and the audit department for two months.

(b) The copy of the statement of opinion or note from the audit department before and after the complaint submitted against the Financial Director is demanded.

(c) Statement on the fact whether any action was taken by the chairman against the Financial Director is demanded.

- A committee comprising of 3 members including the G.M (Marine) of the agency was formed to verify some objections as made by the audit department. It was known that the committee did not submit any report even after about 9 months though it was given a time limit of 10 days.

Required information:

If any action was taken against the committee or any explanation was obtained due to its not submission of any report even after so long a time.

- In the application submitted on the last 24-07-2013 and 03-08-2013 to the Chairman a request was made to pay the bill following some alternative procedure claiming that there is no possibility of obtaining a rational report of the investigation by the committee comprising of others including the G.M (Marine).

Required information:

(a) What measures have been taken in accordance with the last two applications? Detailed description of the procedures followed in accordance with both the applications is claimed.

(b) A copy of any report submitted, if any, after the latest application.

- It was also known that investigations were also conducted previously into this job by two different committees through the Chief Audit Officer & the Deputy General Manager (Accounts).

Required information:

Copies of the reports of those two investigations are demanded.

02. Not receiving the requested information within the stipulated time, the complainant preferred an appeal petition on 08-10-2013 to Mr. Mojibor Rahman, the Chairman of B.I.W.T.C and the Appellate Authority (RTI). Not receiving any remedy in spite of his submission an appeal petition, he submitted a complaint to the Information Commission on 08-12-2013.

03. The matter was discussed in the meeting of the Commission on 09-01-2014. As per the resolution of the meeting summonses were issued to the concerned parties fixing the date of hearing on 27-01-2014.

04. On the date fixed for hearing Mr. Md. Tariqul Islam 'Linkon', the complainant; Mr. Nazrul Islam Misha, the Public Relations Officer of B.I.W.T.C and the Designated Officer (RTI) were present. The complainant mentioned in his statement that he applied to the Designated Officer (RTI) seeking for the information mentioned in paragraph No. 01 as per the Right to Information Act, 2009. Having received on information he submitted an appeal petition to the Appellate Authority (RTI). After getting no information on the appeal petition, he filed a complaint to the Information Commission.

05. The Public Relations Officer of B.I.W.T.C. and the Designated Officer (RTI) in his speech pointed out that the information asked for by the complainant is confidential and therefore, could not be provided without the permission of higher authorities.

06. The Commission opined that the information requested for by the complainant is not confidential one as per the Right to Information Act, 2009. In response to the Commission's opinion the Designated Officer (RTI) assured the complainant to provide the information requested for.

Discussion

After hearing the statements of both the complainant and the designated officer (RTI) along with the evaluation of the submitted evidences it is found that, the Designated Officer (RTI) did not provide the information requested by the complainant to be confidential information, but considering the Right to Information Act, 2009 the information requested by the complainant was not confidential information. The complaint may be considered disposable with the assurance by the Designated Officer (RTI) in regard to providing the information requested by the complainant as per the order of the Information Commission.

Decision

After elaborate revision, the complaint is disposed of with the following directions:-

1. The Public Relations Officer of B.I.W.T.C and the Designated Officer (RTI) is directed to provide the complainant with the information requested by him on or before 04-02-2014 on the condition of paying the cost of the information.
2. The Designated Officer (RIT) is directed to deposit the money collected as in code No. 1-3301-0001-1807 in public treasury the cost of the provided information as per section 9 of the Right to Information Act, 2009 and rule-8 of the Right to Information (Relating to receiving information) Rules, 2009.

3. Both the parties are directed to inform the Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof.: Dr. Sadeka Halim)
Information Commissioner

Signed /-
(Mohammad. Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No. 02/2014

The complainant: Mr. Golam Mostafa Jibon
Father-Ghazi Md. Moyej Uddin Sarkar
Railway Colony
(Adjacent to Markaj mosque)
Sirajganj.

The opposite party: Mr. Md. Sujaudowlla
Assistant Commissioner
&
Designated Officer (RTI)
Office of the Deputy Commissioner
Sirajganj.

Decision Paper

(Date: 27-01-2014)

Mr. Golam Mostofa, the complainant, submitted an application to Suprya Chowdhury, Assistant Commissioner at the office of the Deputy Commissioner in Sirajganj District and Designated Officer (RTI), with request to provide the following information on 26-08-2013 as per section 8(1) of the Right to Information Act, 2009-

- a) **From when the application for compensation for the land acquired for the industrial park under construction in Soyedabad area of Sirajganj Sadar upazila; the name, address and the mobile numbers of the applicants and the photocopy of the application is wanted.**
- b) **From when the compensation money against those applications has been started paying and the names, address, amount of money paid of those applicants who have been paid in cash or through cheque including the date of disbursement.**
- c) **In regard to the applications in (a) how many applications have been rejected and want to have the copy of the rejected applications along with the reasons of rejection.**
- d) **Want to know in which method the cash or cheque have been given to the applicants.**
- e) **Can those apply again whose applications have been rejected and how many applicants will be given compensation among from the accepted applications, their list along with the amount of the money.**
- f) **Want to know the information regarding the total allotment for compensation and the duration of the compensation to be given.**

He also applied for seeing the file attending at the office.

02. In regard to the application the Designated Officer provided the complainant with the information requested for on 15-09-2013 vide Memo No. 05.50.8800.015. 31.005.13-88. Not being satisfied with the information provided, the complainant applied to Mr. Helal Uddin Ahmed, the Divisional Commissioner of Rajshahi Division and Appellate Authority (RTI). After the submission of the appeal application, Mr. Md. Sujauddoulah, the Assistant Commissioner at the office of the Deputy Commissioner of Sirajganj District and the Designated Officer (RTI) again provided the complainant with the information by Memo No. 05.50.8800.015.02.005 13-118 on 24-11-2013. The complainant not being satisfied with the provided information lodged a complaint at the Information Commission.

03. The matter was discussed in the meeting of the commission on 09-01-2014. As per the decision of the meeting summons were issued to the concerned parties fixing the date of hearing on 27-01-2014.

04. On the date fixed for hearing Mr. Mr. Golam Mostofa Jibon, the complaint; Mr. Md. Sujauddoulah, the Assistant Commissioner at the office of the Deputy Commissioner of Sirajganj District and the Designated Officer (RTI) and the Officer in charge, Land Acquisition Branch and Mr. Milton Chandra Roy, the Assistant Commissioner appeared. The complainant mentioned in his statement that he applied to the Designated Officer (RTI) seeking for the information specified in paragraph No. 01 as per the Right to Information Act, 2009. Being dissatisfied with the information provided by the Designated Officer (RTI), he submitted an appeal petition to the Appellate Authority (RTI). After filling the appeal petition, the Designated Officer (RTI) provided the specified information by the order of the Appellate Authority (RTI). Being dissatisfied with the information provided, he submitted a complaint to the Commission.

05. The Assistant Commissioner at the office of the Deputy Commissioner of Sirajganj District and Designated Officer (RTI) said in his speech that he sent a letter to the LA branch for providing the information. The information has been provided to the complainant by collecting the same from the relevant branch. Among the information requested for, the names, addresses and mobile numbers, the list of applicants and the photocopy of the application and the names, address, amount of money given and the date of giving the same along with their list are personal information. All these being personal information, could not be provided following the subsection (g), (h) and (i) under section 7 of the Right to Information Act, 2009.

06. Among the information requested for by the complainant, the information given in the serial 'A' and 'B' are not personal information, but the mobile numbers are personal information. The Commission opined that all the information except the mobile numbers could be provided.

Discussion

After hearing the statements of both the complainant and the Designated Officer (RTI) along with the evaluation of the submitted evidences it is found that, information has been provided to the complainant by the Designated Officer (RTI) after collecting the same from concerned branch. Among the information requested for by the complainant, the information given in the serial 'A' and 'B' are not personal information, but he mobile numbers are personal information. All the information except the mobile numbers could be provided. The complaint is considered disposable with the assurance by the Designated Officer (RTI) in regard to providing the information requested for by the complainant as per the direction of the Information Commission.

Decision

After elaborate revision, the complaint is disposed of with the following directions:-

1. The Assistant Commissioner at the office of the Deputy Commissioner of Siajganj District and the Designated Officer (RTI) is directed to provide the complainant with the information requested by him on or before 04-02-2014 on the condition of paying the cost of the information.
2. The Designated Officer (RIT) is directed to deposit the money collected as the cost of the information in code no: 1-3301-0001-1807 in public treasury as per section 9 of the Right to Information Act, 2009 and rule-8 of the Right to Information (Relating to receiving information) Rules, 2009.
3. Both the parties are directed to inform the Commission after the implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed /-
(Mohammad. Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 03/2014

Complainant: Mr. Md. Sohrab Hossain
(Editor & Publisher,
the Daily Mukta Songbad)
S/O. Late Danez Ali
38, Municipal Supermarket
Joydebpur, Gazipur.

Opposite Party: Mr. Md. Aminul Islam
Secretary
&
Designated Officer (RTI)
Gazipur City Corporation
Gazipur.

Decision Paper

(Date : 28-01-2014)

The complainant Mr. Md. Shohrab Hossain lodged petition on 09.10.2013 to Secretary & the Designated Officer (RTI) of Gazipur City Corporation Mr. Md. Aminul Islam seeking for the following information according to Section-8(1) of Right to Information Act, 2009.

Demand Letter of information of tender notices from 1st Jan, 2009 to 28th Feb, 2013 of previous Municipality of Tongi-

- 1) (a) The tender notices have been published in which newspaper, the photocopy of these.
(b) The photocopy of Letter of Approval for press the advertisement.
(c) The rate card of bill receiving newspapers (Value rate of specific advertisement by DFP).
(d) How much money column inch rate the newspapers submitted bill to press these advertisement? and how much money was paid.
(e) The photocopy of bill of money payment as that advertisement.
- 2) (a) The photocopy of schedule of participators contracting firm including document/pay-order or bank draft submitted with it according to tender notice no. 7, 8, 9 & 10/2012-2013.
(b) List of sold schedule of tender notice no. 7, 8, 9 & 10/2012-2013.
(c) The photocopy of work order including name, address & mobile number of proprietor of work order obtained contracting firm.
(d) How many bill money has been paid to which contracting firm on which date against which work, its voucher's photocopy.
(e) How much money has been paid as security money to which firm on which date against tender work no. 7, 8, 9 & 10/2012-2013.
- 3) The photocopy of estimate of work.
- 4) Which is the explanation of complaint to this effect that the advertisement has given with non-media and without declaration such newspaper.

02. Having not found desired information within fixed time the complainant appealed to Chief Executive Officer of Gazipur City Corporation Mr. Sultan Mahmud on 18.11.2013. After filing appeal having not found any remedy he submitted complaint to the Information Commission on 24.12.2013.

03. The matter was discussed in the meeting of the commission on 09.01.2014. According to decision of the meeting summonses were issued to the parties concerned fixing the date of hearing on 28.01.2014.

04. On fixed date of hearing the complainant Mr. Md. Shohrab Hossain, the opposite party Secretary & Designated Officer (RTI) of Gazipur City Corporation Mr. Md. Aminul Islam are present. The complainant mentioned in his statement that according to Right to Information Act, 2009 he submitted an application to Designated Officer (RTI) seeking for information mentioned in paragraph no.1. Having not found any information, he appealed to Appellate Authority (RTI). Despite of filing appeal having not found any remedy he submitted this complaint to the Information Commission.

05. Secretary & Designated Officer (RTI) of Gazipur City Corporation mentioned in his statement that the complainant has been supplied partial information. By preparing the rest information he came with this to supply the complainant and according to the direction of the commission he assured to supply the complaint the rest information.

Discussion

After hearing the statement of both the complainant and the Designated Officer (RTI), and reviewing the submitted evidence it appeared that the Designated Officer (RTI) has supplied complainant partial information. As the Designated Officer (RTI) assured, so, the complaint seems to be disposable.

Decision

The complaint is disposed of with the following directions:

1. The Secretary & Designated Officer (RTI) of Gazipur City Corporation is directed to supply the complainant his desired information on or before 06.02.2014 on the condition of paying the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 in public treasury according to Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 04/2014

Complainant: Mr. Delawar Bin Siraj

S/O. Late Hazi Siraj Uddin
2/2, R. K. Mission Road
(Gift Valley) 2nd Floor
Dhaka-1203.

Opposite Party: Mr. Sukanti Bikash Shannyal

Deputy General Manager
&
Designated Officer (RTI)
Agrani Bank Ltd.
Head Office
18 Bangabandhu Avenue
Dhaka-1000.

Decision Paper

(Date : 28-01-2014)

The complainant Mr. Delawar Bin Siraj lodged the petition on 28.10.2013 to Deputy General Manager & Designated Officer (RTI) of Agrani Bank Ltd., Head Office Mr. Sukanti Bikash Shanal seeking for the following information according to Section-8(1) of Right to Information Act, 2009.

Demand Letter of informations of tender notices from 1st Jan, 2009 to 28th Feb, 2013 of previous Municipality of Tongi.

- (a) In which head loan is provided from Agrani Bank Ltd., Head Office, Motijheel, Dhaka. Up-to-date statement (up to 2003-2013) of amount of loan, type defaulted/classified/bad) etc including its head wise loan receiver's name, address.**
- (b) By dint of loan power of MD and CEO of Agrani Bank Ltd. Mr. Abdul Hamid which organization has been approved loan for how much money and recommended to board for loan approval of which organization its written statement (up-to-date).**
- (c) How much money spent up to inauguration day for establishment of branch for Agrani Bank Ltd. Madarkathi Branch, Barisal and its head wise statement including which organizations have been provided how many loan till today its written statement.**

02. In pursuance of the said prayer the Designated Officer (RTI) informed the complainant to supply information by 28.11.2013 through memo no. BSUCD/Branch-3/809/2013, dated: 06.11.2013 and served notice for inability to supply information to the complainant on 18.11.2013. In pursuance of it the complainant appealed to Managing Director and CEO of Agrani Bank Ltd., Head Office and Appellate Authority (RTI) Mr. Syed Abdul Hamid on 24.11.2013. Despite of filing appeal having not found any remedy he complained in the information commission on 24.12.2013.

03. The matter was discussed in the meeting of the commission on 09.01.2014. According to decision of the meeting summonses were issued to the parties concerned fixing the date of hearing on 28.01.2014.

04. On the fixed date of hearing the complainant Mr. Delawar Bin Siraj, the opposite party, Learned Advocate Mr. Khan Md. Mahbubur Rahman on behalf of Deputy General Manager & Designated Officer (RTI) of Agrani Bank Ltd., Head Office, Mr. Sukanti Bikash Shanai are present. The complainant mentioned in his statement that according to Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for information mentioned in paragraph no.1. The designated officer (RTI) after getting the prayer for information, informing the information should be supplied, subsequently served notice for inability to supply information. Having not found information he appealed to Appellate Authority (RTI). After filing appeal having not found any remedy he submitted complaint to the Information Commission.

05. Deputy General Manager & Designated Officer (RTI) of Agrani Bank Ltd, Head Office mentioned in his statement that the information mentioned in serial no. 'Ka' of the complainant is not clear. The information of serial no. 'Kha' & 'Ga' is personal and because of not being any interest concerned of the complainant it was not possible to supply.

06. As the desired information of the complainant the information of serial no. 'Ka' is not clear and as the commission opined that the complainant should apply specifically the complainant agreed on that. According to Right to Information Act, 2009 the information of serial no. 'Kha' and 'Ga' are not personal information so, the Designated Officer (RTI) agreed on that.

Discussion

After hearing the statement of both complainant and Designated Officer (RTI) and after reviewing the submitted evidences it appeared that among the desired information of the complainant the information of serial no. 'Ka' because of not apparent the complainant may pray again in this matter and the information of serial no. 'Kha' and 'Ga' because of not being personal information that is providable. According to the direction of the commission the Designated Officer (RTI) assured to supply serial no. 'Kha' and 'Ga' among desired information of the complainant the complainant, so, the case seems to be disposable.

Decision

The case is disposed of with the following directions.

01. The complainant is directed to submit the application in serial no 1 clearly and specifically.
02. Deputy General Manager & Designated Officer (RTI) of Agrani Bank Ltd., Head Office is directed to supply complainant the information of serial no. 'Kha' and 'Ga' among his desired information on or before 06.02.2014 on the condition of paying the cost of information.
03. According to Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Regulation, 2009 the Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807.
04. Both parties are directed to inform to information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 05/2014

Complainant: Mr. Md. Kutub Uddin

S/O. Late Moulvi Shafiuddin
E-34, West Side of RAB-2
Agargaon, Dhaka-1207.

Opposite Party: Mr. Amirul Islam

Deputy Secretary
&
Designated Officer (RTI)
Ministry of Agriculture
Bangladesh Secretariat
Dhaka

Decision Paper

(Date : 28-01-2014)

The complainant Mr. Md. Kutub Uddin lodged application on 25.06.2013 to Deputy Secretary (Admin) and Designated Officer (RTI) of Ministry of Agriculture seeking for the following information according to Right to Information Act, 2009.

Information regarding at last progress in the matter of prayer, dated: 25.06.2009 written to the Hon'ble Secretary of Agriculture.

Desired information by the applicant to Secretary, Ministry of Agriculture, Bangladesh Secretariat, Dhaka on 25.06.2009.

- **Regarding taking endeavor to tour Brazil by the Hon'ble Minister of Agriculture submitting the proposal to take lease 10 crore hector uncultivated agriculture land of Brazil.
Information regarding decision of the authority in the matter of the said letter and if the said letter is not presented to the authority, information regarding the cause of not submission.**

02. Not getting the information within fixed time appealed to the Secretary of Ministry of Agriculture on 14.11.2013. After filing appeal if the petition was set-aside with dismissal order, the complainant submitted complaint to the information Commission on 29.12.2013.

03. The matter was discussed in the meeting of the commission on 09.01.2014. According to decision of the meeting summonses were issued to the concerned party fixing the date of hearing on 28.01.2014.

04. On fixed date of hearing the complainant Mr. Md. Kutub Uddin, the opposite party, Deputy Secretary and Designated Officer (RTI) of Ministry of Agriculture Mr. Amirul Islam are present. The complainant mentioned in his statement that according to Right to Information Act, 2009 he lodged application to Designated Officer (RTI) seeking for information mentioned in paragraph no.1. Having not

found information he appealed to Appellate Authority (RTI). After filing appeal having not found any remedy he submitted complaint to the Information Commission. He more mentioned that knowing through Discovery Channel and different newspapers he has prayed to get information in mentioned matter.

05. Deputy Secretary and Designated Officer (RTI) of Ministry of Agriculture mentioned in his statement that the Ministry do not have any Information regarding taking endeavor to tour Brazil by Hon'ble Minister of Agriculture submitting the proposal to take lease 10 crore hector uncultivated agriculture land of Brazil. No action was taken in the Ministry in the matter of taking 10 crore hector uncultivated agriculture land of Brazil. In this matter no discussion and agreement were executed with Brazil Government. The complainant has been informed by serving letter to this effect that there is no information in his office in mentioned subject.

Discussion

Hearing the statements of both complainant and Designated Officer (RTI) and after reviewing the submitted evidences it appeared that because of not executing any discussion and agreement between Brazil Government and Bangladesh in the matter of desired information of the complainant, the commission think that it is not expedient to submit prayer to get any information in this matter.

Decision

Since, no discussion and agreement were executed between Brazil Government and Bangladesh in the matter of taking lease 10 crore hector uncultivated agriculture land of Brazil of Brazil, so, the complaint disposable is settled by the dismissal order.

Let the copy be sent to the concerned parties.

Signed /-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 06/2014

Complainant: Mr. Md. Abdul Hakim

S/O. Late Momin Uddin Howlader
Vill: Baliarkathi, P.O: Khalishakota
Via Chakhar, Upazila: Banaripara
Dist: Barisal

Opposite Party: Mr. R.S.M. Monirul Islam

Divisional Forest Officer
&
Designated Officer (RTI)
Coastal Forest Division
Chittagong.

Decision Paper

(Date : 28-01-2014)

The complainant Mr. Md. Abdul Hakim filed complaint on 29.12.2013 again in Information Commission in the matter of his submitted complaint no. 81/2013. He mentioned in his complaint that according to direction given by the information commission he appealed to Conservator of Forest & Appellate Authority (RTI), Chittagong Zone, Chittagong on 22.10.2013. In this pursuance on 14.11.2013 the Appellate Authority directed to Divisional Forest Officer, Department of Coastal Forest, Chittagong to supply requested information of the complaint. Despite of this direction the Divisional Forest Officer of Department of Coastal Forest, Chittagong did not supply the information, so, he filed complaint in information Commission on 29.12.2013.

02. The matter was discussed in the meeting of the commission on 09.01.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 28.01.2014.

03. On the fixed date of hearing the complainant Mr. Md. Abdul Hakim remains absent sending the written statement; the Learned Advocate Mr. Fridul Alam appeared on behalf of Divisional Forest Officer and Designated Officer (RTI) of Department of Coastal Forest Mr. R.S.M. Monirul Islam are present. The complainant mentioning ailment of his son because of not appearing in the hearing request to receive his written statement. But the complainant did not attach any Medical Certificate with petition regarding ailment.

04. Divisional Forest Officer and Designated Officer (RTI) of Department of Coastal Forest mentioned in his statement that he was designated on 25.11.2013. The letter was served to the complainant on 16.01.2014 to collect information subject to pay information cost. The complainant did not make any contact to receive information. The complainant was not provided with the information because of not paying the

cost of information. He preserved desired information to supply the complainant. If the information cost is paid, it will be possible to supply complainant the information.

Discussion

Hearing the statement of Designated Officer (RTI) and reviewing the submitted evidences of both it appeared that although the letter was sent to the complainant to pay the cost of information by the designated officer (RTI), the complainant did not take any endeavor to collect the information. So, the commission think the complainant have no interest to receive information.

Decision

The complaint is disposed of with the following directions:-

1. Since, the letter was sent to the complainant to collect information by paying the cost of information by the Designated Officer (RTI), but the complainant did not take any endeavor to collection of information, so, the commission think that the complainant have no a necessity of information.
2. The Designated Officer (RTI) is directed to issue letter to pay the cost of information to the complainant and to send the copies to Secretary, Ministry of Forest & Environment and Chief Conservator of Forest.

Let the copy be sent to the concerned parties.

Signed /-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 07/2014

Complainant: Mr. Sadeque Ullah Chowdhury

S/O. Late Nurul Huda Chowdhury
House No. 04, Road No.03
Sector No. 10, Uttara
Dhaka-1230.

Opposite Party: Mr. Md. Mahbub Hossain

Deputy Secretary
&
Designated Officer (RTI)
Administration 2(4)
Ministry of Public Administration
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date: 27-03-2014)

The complainant Mr. Sadeque Ullah Chowdhury lodged petition on 12.09.2013 to Deputy Secretary and Designated Officer (RTI) of Ministry of Public Administration seeking for the following information according to Section-8(1) of Right to Information Act, 2009-

- **In pursuance of complaint against Mr. Md. Abdul Quddus Khan (4734), Ex Deputy Commissioner, Feni at present Officer on special duty (Joint Secretary), Ministry of Public Administration (Annexed to Ministry of Expatriates' Welfare and Overseas Employment) attested copy of investigation report made according to memo no. 05.180.027.01.00.021.2012-266, dated: 28.08.2012 of Ministry of Public Administration and memo no. 00.42.027.14.01.004.2012-517, dated: 04.09.2012 of office of the Chittagong Divisional Commissioner.**

02. Having not found desired information within fixed time the complainant appealed to Senior Secretary and Appellate Authority (RTI) of Ministry of Public Administration on 12.11.2013. The appeal petition was received on 17.11.2013 by Ministry of Public Administration. Despite of filing appeal having not found any remedy, he submitted complaint in Information Commission on 06.01.2014.

03. The matter was discussed in the meeting of the commission on 09.01.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 28.01.2014.

04. On the fixed date of hearing the complainant Mr. Sadeque Ullah Chowdhury and opposite party Designated Officer (RTI) of Ministry of Public Administration Mr. Md. Mahbub Hossain appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he lodged petition to the Designated Officer (RTI) seeking for information mentioned in paragraph no.1. Having not

found information he appealed to Appellate Authority (RTI). Despite of filing appeal having not found any remedy, he submitted complaint in Information Commission.

05. The Designated Officer (RTI) of Ministry of Public Administration mentioned in his statement that it was not possible to provide information because the matter is pending before the learned court. The Designated Officer because of not apparently providing any information in the matter of under trial which number suit in which Court, the commission fixed the date of hearing again on 03.03.2014 and summonses were issued to the complainant and the Designated Officer (RTI).

06. Both Designated Officer (RTI) and complainant remained absent sending time prayer. Fixing date of hearing again on 27.03.2014, summonses were issued to the complainant and the Designated Officer (RTI).

07. On the fixed date of hearing on behalf of complainant the Learned Advocate Mr. Golam Ahmed and Deputy Secretary and Designated Officer (RTI) of Ministry of Public Administration Mr. Md. Mahbub Hossain appeared. On behalf of complainant the Learned Advocate mentioned in his statement that according to Right to Information Act, 2009 lodged petition to Designated Officer (RTI) seeking for information mentioned in paragraph no.1. Having not found information he appealed to Appellate Authority (RTI). Despite of filing appeal having not found any remedy, he submitted complaint in Information Commission. On last 28.01.2014 after hearing held in information commission in the matter of complainant on 04.03.2014 the Designated Officer (RTI) supplied information, the complainant is not satisfied on that.

08. Deputy Secretary and Designated Officer (RTI) of Ministry of Public Administration mentioned in his statement that the complainant sought the report of two memos. On 28.01.2014 after hearing held in information commission the desired information of the complainant is sought in sub section-1(1) Discipline of Ministry of Public Administration. According to information obtained from the concerned section the complainant has been supplied through memo letter no. 05.180.027.01.00.021.2012-266. But, there is no report of memo no. 00.42.027.14.01.004.2012-517 in the Ministry. Being present in the last hearing he could not apparently say in the matter of remaining under trial which number suit in which court in the matter of complaint so, subsequently it was known through contacting to Learned G.P. of Feni District that in the discussed matter the suit no. 91/12 is under trial in the Hon'ble Assistant Judge's Court of Feni Sadar, of which plaintiff is Md. Sadeque Ullah Chowdhury and defendant is Mr. Abdul Quddus Khan.

Discussion

Hearing the statements of both the complainant and the Designated Officer (RTI) and reviewing the submitted evidences it appeared that in the matter of desired information of complainant, a suit is under trial in the Hon'ble Court. The matter is pending in a court is not legalized to pass any order by another court. Since, the matter is under trial, so, according to section-7(Ta) of Right to Information Act, 2009 it is considered as Sub-judice, so,

Decision

Since the matter is under trial and Sub-judice, so, according to section-7(Ta) of Right to Information Act, 2009 it seemed it would not be legally expedient to pass any order.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 08/2014

Complainant: Mr. Arup Ray
S/O. Utpal Ray
51/A, Bazar Road
Upazila: Savar
Dist: Dhaka.

Opposite Party: Mr. Md. Shah Alam
Information Officer
&
Designated Officer (RTI)
Bangladesh Livestock
Research
Institute (BLRI), Savar,
Dhaka.

Decision Paper (Date: 28-01-2014)

The complainant Mr. Arup Ray lodged petition on 05.08.2013 to Designated Officer (RTI) of Bangladesh Livestock Research Institute (BLRI) of Savar Upazila of Dhaka District seeking for the following information according to section-8(1) of Right to Information Act, 2009-

- (a) How many projects are ongoing at present in BLRI under Savar Upazila of Dhaka District. Name and duration of the projects.**
- (b) How much money have been allocated of year based head wise in the projects from the beginning to current fiscal year.**
- (c) The statement or account of specific head wise expenditure of the money allotted from the beginning of the current project to current fiscal year.**
- (d) In case of spending of money whether any tender was invited? If the tender is called in which newspaper notice was published. The name of that newspaper along with date of publication and the photocopy of published notice. Participating in tender which contractor got work that contracting firm's name with name of owner and mobile phone number.**
- (e) Under the ARMP-2 project which instrument was purchased and infrastructure was built. The statement of present condition of that instruments, infrastructure and project.**
- (f) The head wise account of allotment and expenditure under ARMP-2 project.**

02. Having not found desired information within fixed time the complainant appealed to Director General and Appellate Authority (RTI) of Bangladesh Livestock Research Institute of Savar Upazila of Dhaka District Dr. Md. Nazrul Islam. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 07.01.2014.

03. The matter was discussed in the meeting on 09.01.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 28.01.2014.

04. On the fixed date of hearing the complainant Mr. Arup Ray; the opposite party Information Officer and Designated Officer (RTI) of Bangladesh Livestock Research Institute (BLRI) of Savar Upazila of Dhaka District Md. Shah Alam appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for the information mentioned in paragraph no.1. Having not found information he appealed to Appellate Authority (RTI). Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission.

05. The Information Officer & Designated Officer (RTI) of Bangladesh Livestock Research Institute (BLRI) of Savar Upazila of Dhaka District mentioned in his statement that according to Right to Information Act, 2009 no Designated Officer (RTI) was appointed in his office. Receiving summon and phone from the commission, appointing him as Designated Officer (RTI) he was directed to appear in the hearing of the commission. He appeared with as much as information was collected in his office. By preparing the rest information in order to supply he needed time to this effect he mentioned. If time is sanctioned by the commission he assured to supply the complainant the information within the fixed time.

06. Among the desired information of the complainant if the commission passed opinion to supply the entire information other than mobile phone number, the Designated Officer (RTI) consented on that.

Discussion

After hearing the statements of both complainant & Designated Officer (RTI), after reviewing the submitted evidences it appeared that appointing the Designated Officer (RTI) has been sent today to the commission. As much as the desired information of the complainant was collected, and came with that and if prayed for time to prepare the rest information, the time was fixed by the commission. Because of the Designated Officer (RTI) assuring to supply the desired information of the complainant within time fixed by the commission, the complainant seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following instructions.

1. The Information Officer and Designated Officer (RTI) of Bangladesh Livestock Research Institute (BLRI) of Savar Upazila of Dhaka District is directed to supply complainant his desired information on or before 14.02.2014 subject to pay the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.

3. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 09/2014

Complainant: Mr. Md. Tyed Uddin Khan

S/O. Md. Syed Uddin Khan
Ma Howya Monzil, 2nd Floor East
10/D, Banshbari, Mohammadpur
Dhaka-1207.

Opposite Party: Mr. Md. Abdul Latif

Deputy General Manager
(Department of Branch Control)
&
Designated Officer (RTI)
Rajshahi Krishi Unnayan Bank
Head Office, Rajshahi.

Decision Paper

(Date: 28-01-2014)

The complainant Mr. Md. Tyed Uddin Khan lodged two separate petitions on 29.09.2013 to Deputy General Manager (Department of Branch Control) and Designated Officer (RTI) of Rajshahi Krishi Unnayan Bank, Head Office seeking for the following two information according to section-8(1) of Right to Information Act, 2009-

- **In pursuance of demand by Department of Human Resource in the matter of leave encashing and remuneration availability of Md. Tyed Uddin Khan, Superior Officer (Resigned), Department of Law, RAKUB, Head Office, Rajshahi the lawful opinion of dated: 07.08.2012 and 28.11.2012 of Law Advisor presented by Department of Law. The desired information submitted by the complainant by another prayer-**
- **The photocopy of investigation report of investigation committee formed in the matter of complaint regarding recently violation of a female employee by General Manager Mr. Md. Ekramul Hoque.**

02. In pursuance of the said prayer the Designated Officer supplied the complainant the information through memo no. ProKa/ShaNiBi-143/2013-14/452, dated 22-10-2013. Being aggrieved by given information the complainant appealed to General Manager (Operation) and Appellate Authority (RTI) of Rajshahi Krishi Unnayan Bank, Head Office on 12.11.2013. The Appellate Authority (RTI) Mr. Nishith Kumar supplied the complainant information by memo no. ProKa/GM(Admin)-06/2013-14/69 on 04.12.2013. The complainant being aggrieved by given information he submitted complainant to the Information Commission on 07.01.2014.

03. The matter was discussed in the meeting of the commission on 09.01.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 28.01.2014.

04. On the fixed date of hearing the complainant Mr. Md. Tyed Uddin Khan; the opposite party Deputy General Manager (Department of Branch Control) and Designated Officer (RTI) of Rajshahi Krishi Unnayan Bank, Head Office Mr. Md. Abdul Latif and on behalf of Designated Officer (RTI) Learned Advocate Mr. Md. Abdur Razzaque appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for the information mentioned in paragraph no.1. The Designated Officer (RTI) submitted information. Being aggrieved in obtained information the complainant appealed to Appellate Authority (RTI). After filing appeal being aggrieved by information given by Appellate Authority (RTI) the complainant submitted complaint to the Information Commission.

05. The Deputy General Manager (Department of Branch Control) and Designated Officer (RTI) of Rajshahi Krishi Unnayan Bank, Head Office mentioned in his statement that among the desired information of the complainant the first is lawful opinion, it is not any information according to Right to Information Act and in case of the second because of not forming investigation committee it was not possible to supply investigation report.

06. Whether the lawful opinion has been given in note sheet or separately in reply of such question of the commission the Learned Lawyer mentioned on behalf of Designated Officer (RTI) that it has been sent separately. According to Right to Information Act, 2009 the lawful opinion shall be regarded as information. In that case if lawful opinion is not given or formed investigation committee then the Designated Officer (RTI) is directed to inform the complainant that matter he agreed on that.

Discussion

After hearing the statements of both complainant & Designated Officer (RTI), after reviewing the submitted evidence it appeared that among the desired information of the complainant, because of treating the lawful opinion as information according to Right to Information Act, 2009 it is providable. If the investigation committee is not formed the matter to give the investigation report is not considerable. Because of the Designated Officer (RTI) assuring to supply the desired information of the complainant according to Right to Information Act, 2009 the complainant can be regarded as settled.

Decision

After detailed discussion the complaint is disposed of with following directions:

1. The Deputy General Manager (Department of Branch Control) and Designated Officer (RTI) of Rajshahi Krishi Unnayan Bank, Head Office is directed to supply complainant his desired information on or before 05.02.2014 subject to pay the cost of information.

2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 10/2014

Complainant: Fahmida Mahbub

Father-M. M. Waliul Mahbub
House No-G-16
Rani Bazar (Batar Goli)
Post-Ghoramara
Police Station-Boalia
District-Rajshahi.

Opposite Party: Mr. Md. Abdul Awal Akanda

AVP & Manager
&
Designated Officer (RTI)
Fairst Security Islami Bank Ltd.
Shaheb Bazar, Rajshahi Branch
Rajshahi.

Decision Paper

(Date: 03-03-2014)

The complainant Fahmida Mahbub filed application on 29-08-2013 to Mr. Md. Abdul Awal Akanda, the AVP & Manager of First Security Islami Bank Ltd., Shaheb Bazar, Rajshahi Branch & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Cheque Book of my savings account maintaining with your reputed bank bearing No.-136-122-0000409-8 since was lost (Page No.-1394691-1394700), I had lodged GD to Boalia Model Police Station under Rajshahi bearing No.-1210 Dated-26-01-2012. On last 13-03-2013 one Jamil Akhter produced one page of my lost cheque book bearing No.-FSIB 1394692 through his own bank account. Your staff issued him cheque return memo mentioning insufficient fund. My question to you, all the pages of cheque book though mentioned in GD & your staff though issued Stop Payment Certificate, how then they issued cheque return memo mentioning insufficient fund. Whether issue of such cheque return memo is legal under Banking Act or not?**

02. In respect to application Mr. Md. Abdul Awal Akanda, the AVP & Manager of First Security Islami Bank Ltd., Shaheb Bazar, Rajshahi Branch & the Designated Officer (RTI) served information to the complainant vide Memo No.-FSIBL/Raj/2013/2016 Dated-05-09-2013. The information served to her since found irrational & having no logical ground, the complainant filed appeal to Mr. Md. Jahangir Alam, the Vice President of First Security Islami Bank Ltd., Shaheb Bazar, Rajshahi Branch & Appellate Authority (RTI) on 22-09-2013. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 24-11-2014.

03. On the basis of the decision of the Commission Dated-05-12-2013, the commission issued letter to the Secretary of the Ministry of Law, Justice & Parliamentary Affairs to serve opinion whether First Security Islami Bank Ltd. is Authority or not under Right to Information Act, 2009. Then the Ministry of Law, Justice & Parliamentary Affairs vide memo No.-10.00.0000.129.04.215.13-16

Dated-20-01-2014 informed that all private banks including First Security Islami Bank Ltd. will be treated as Authority.

04. Then the agenda was discussed in the meeting of Commission dated-09-02-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 03-03-2014

05. On the date of hearing complainant Fahmida Mahbub & learned attorney Mr. Bidhan Chandra Saha for & on behalf of opposite party Mr. Md. Abdul Awal Akanda, the AVP & Manager of First Security Islami Bank Ltd., Shaheb Bazar, Rajshahi Branch & the Designated Officer(RTI) are present. The Complainant mentioned in her statement that she filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the information served by the Designated Officer (RTI) found not satisfactory, she filed appeal to the Appellate Authority (RTI). After filing the appeal being found no remedy, she filed complaint to Information Commission.

06. The AVP & Manager of First Security Islami Bank Ltd., Shaheb Bazar, Rajshahi Branch & the Designated Officer (RTI) mentioned in his statement that, on receipt of application for information, information was provided to the complainant. The complainant being lost her cheque book filed GD and filed application to issue new cheque book & stop payment certificate. On receipt of cheque signed by the complainant, checking the balance, issued dishonour slip. If the amount of cheque available in account, when process to debit the amount can know about stop payment. Learned attorney in his statement said that, basis to banking rule some process or procedure are to be followed. Any cheque if produce for payment in account inquiry balance & signature of account holder. Observing the balance of produced cheque being put tick in insufficient fund of printed column of cheque return and returned the cheque. If the account shows sufficient fund, then the second step where all information including stop payment. Mentioning the software methodology, the Designated Officer (RTI) mentioned that the information sought for by the complainant was served.

07. After issuance of Stop Payment Certificate whether can issue cheque return memo mentioning insufficient fund or not? In reply of such question by the commission, the Designated Officer (RTI) informed that cheque return would be issued. The commission reached in conclusion to direct the Designated Commission (RTI) to serve the information to the complainant prayed for, he ensured to do it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the Designated Officer (RTI) though served information to the complainant under prevailing software methodology of Bank but she was not satisfied with information served to her. The Designated Officer (RTI) since ensured to serve information sought for by the complainant as directed by the commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The AVP & Manager of First Security Islami Bank Ltd., Shaheb Bazar, Rajshahi Branch & the Designated Officer (RTI) is directed to serve the information sought for by the complainant as per article No.-07 subject to pay the cost of information on or before 09-03-2014.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 11/2014

Complainant: Mr. Nazmus Sakib

S/O. Faridul Alam
F. R. Tower, 8/C, Panthapath
Shukrabad, Dhaka-1207.

Opposite Party: Mr. Humayun Kabir

Director (Admin)
&
Designated Officer (RTI)
National Human Rights Commission
Gulfesha Plaza, 8
Shahid Sangbadik Selina Parvin Sharak
Moghbar, Dhaka-1217.

Decision Paper

(Date: 24-03-2014)

The complainant Mr. Nazmus Sakib mentioned in his submitted complaint that after hearing in the matter of complaint no. 96/2013 according to direction given by the Information Commission the Designated Officer (RTI) did not supply information within 31.10.2013. The Director (Admin) and Designated Officer (RTI) of National Human Rights Commission, Mr. Humayun Kabir because of not supplying information the complainant filed complaint again to the Information Commission on 13.01.2014.

02. The matter was discussed in the meeting on 09.02.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 03.03.2014.

03. The Designated Officer (RTI) prayed on 02.03.2014 seeking for time. The prayer for time has been sanctioned by the commission and fixing date of hearing again 24.03.2014 and summonses were issued to the complainant and Designated Officer (RTI).

04. On the fixed date of hearing the complainant Mr. Nazmus Sakib did not appear; the opposite party Director (Admin) and Designated Officer (RTI) of National Human Rights Commission, Mr. Humayun Kabir appeared. On the fixed date of hearing at 10:55 a.m the telephonic conversation has been held between the complainant and Computer Operator of Information Commission Mr. Md. Mizanur Rahman. It came to know by discussion that the letter has been sent to the applicant by the Designated Officer (RTI) to pay information cost. The complainant informed that he would collect information by paying information cost contacting with Designated Officer (RTI). For this reason, he remained absent at the time of hearing.

05. The Director (Admin) and Designated Officer (RTI) of National Human Rights Commission mentioned in his statement that the complainant after praying again the matter was

presented in the meeting of National Human Rights Commission and the decision has been taken in the meeting in the matter of supplying desired information of the complainant. According to decision of the meeting the complainant has been sent letter to take information by paying information cost.

Discussion

After hearing the statements of Designated Officer (RTI) & after reviewing the submitted evidence it appeared that the Designated Officer (RTI) has sent complainant the letter to take information by paying information cost. The complainant received letter and has assured the matter over telephonic conversation to this effect that he would collect information by paying information cost. The Designated Officer (RTI) because of assuring to supply desired information of the complainant, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

01. The Director (Admin) and Designated Officer (RTI) of National Human Rights Commission is directed to supply complainant his desired information subject to pay the cost of information.
02. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
03. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 12/2014

Complainant: Mr. Ashraful Islam Joy
S/O. Late Lutfur Rahman
S. B. Fazlul Hoque Road
(In front of Labour
& Welfare Centre)
Mirpur, Sirajganj.

Opposite Party: Mr. Md. Sujaudoula
Assistant Commissioner
&
Designated Officer (RTI)
Office of the Deputy Commissioner
Sirajganj.

Decision Paper **(Date: 03-03-2014)**

The complainant Mr. Ashraful Islam Joy lodged petition on 29.09.2013 to the Assistant Commissioner and Designated Officer (RTI) of office of the Deputy Commissioner, Sirajganj seeking for the following information according to section-8(1) of Right to Information Act, 2009-

- (a) **The copy of information regarding rule & method of publication of Online Newspaper (which is not published as print, publish only online) and the law & regulation about Online Newspaper Registration and the copy of direction of Ministry of Information and other Superior Authorities.**
- (b) **How many Online Newspapers have been registered in Bangladesh from 2009 to August 2013, its list.**
- (c) **How many registered online newspapers remaining in Rajshahi Division, its list combined with name & address.**
- (d) **I want the copy of information regarding rules & regulation of taking declaration by District Magistrate in case of publication of online newspaper (which is not published as print, publish only online). Moreover, the declaration has been given by the District Magistrates in the country for how much online newspapers, its list.**
- (e) **How many Online Newspapers (which is not published as print, publish only online) have been registered from Sirajganj from last January 2009 to August 2013, its list. To publish these newspapers, how, in which method the declaration has been given by the District Magistrate, copy of its information.**
- (f) **The declaration of sirajgonjnews24.com and www.sirajganjnews.com published from Sirajganj has been given in which date, want to see the copy & declaration of information along with its year, date and photocopy.**
- (g) **The declaration and registration for how many Online Newspapers (which is not published as print, publish only online) has been given by Press Publication (Declaration & Registration) Act, its list.**

02. In pursuance of the said prayer the Designated Officer (RTI) of office of the Deputy Commissioner, Sirajganj supplied complainant the information through memo no. 05.50.8800.015.02.005.13-104 on 22.10.2013. Being dissatisfied with the supplied information the complainant appealed to Mr. Helal Uddin Ahmed, Commissioner and Appellate Authority, office of the Divisional Commissioner, Rajshahi Division, Rajshahi on 18.11.2013. After filing appeal Mr. Dipankar Ray, Assistant Commissioner of office of the Divisional Commissioner, Rajshahi Division, Rajshahi informed the complainant through memo no. 05.430000.012.02.001.13-1602 on 09.12.2013 to this effect that among his desired information other than the information supplied by office of the Deputy Commissioner, Sirajganj, the rest information is preserved and providable by Ministry of Information. Being directed he requested the complainant to collect the rest information from the Ministry of Information. Being dissatisfied by the said decision the complainant submitted complaint to the Information Commission on 20.01.2014 seeking for the remedy according to Right to Information Act.

03. The matter was discussed in the meeting on 09.02.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 03.03.2014.

04. On the fixed date of hearing the complainant Mr. Ashraful Islam Joy appeared and the opposite party Assistant Commissioner and Designated Officer (RTI) of office of the Deputy Commissioner, Sirajganj, Mr. Sujauddoula appeared. The Designated Officer (RTI) mentioned in his statement that among the desired information of the complainant as far as was preserved in his office he has provided, he has informed to this effect that there is no more information in his office. Moreover, the Appellate Authority (RTI) informed the complainant to this effect that other than the information supplied by Deputy Commissioner, Sirajganj, the rest information is preserved and providable by the Ministry of Information. He has directed to collect the rest information from Ministry of Information.

Discussion

After hearing the statements of Designated Officer (RTI) & after reviewing the submitted evidences it appeared that the Designated Officer (RTI) has supplied the complainant the information as far as was available and because of not remaining the rest information in his office he has informed that. Moreover, the Appellate Authority (RTI) informed the complainant other than the information supplied by the Deputy Commissioner, Sirajganj the rest information is preserved and payable by Ministry of Information. He has directed to collect the rest information from the Ministry of Information. Because of being the proper reply given by Designated Officer (RTI) and direction of Appellate Authority (RTI) the complaint can be regarded as settled.

Decision

Since, the Designated Officer (RTI) has supplied the complaint the information and since the Appeal Authority (RTI) has directed the complainant in the matter of receiving rest information. So, because of being the proper information supplied by Designated Officer and direction given by Appellate Authority (RTI) the complaint is disposed of.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 13/2014

Complainant: Mr. Mowlana Kari Md. Elias
S/O. Kari Hasmot Ali
Vill+P.O: Mechera
Upazila: Hossainpur
Dist: Kishoreganj.

Opposite Party: Sub-Registrar
&
Designated Officer (RTI)
Nandail, Mymensingh.

Decision Paper **(Date: 03-03-2014)**

The complainant filing complaint in Information Commission on 29.01.2014 inform that in pursuance of his submitted complaint no. 82/2013 after taking hearing by the commission after giving decision the Designated Officer has supplied the photocopy of memo no. 2711, but he did not give any attested copy. He did not supply any copy of report of investigation from District Registrar.

02. The matter was discussed in the meeting on 09.02.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 03.03.2014.

03. On the fixed date of hearing the complainant Mr. Moulana Kari Md. Elias appeared; the opposite party Sub Registrar and Designated Officer (RTI), Nandail, Mymensing did not appear. The complainant mentioned in his statement that in pursuance of complaint no. 82/2013 after taking hearing by the Information Commission after giving decision the Designated Officer (RTI) was paid Tk. 60 (sixty) as information cost. In pursuance of that he has submitted only 01 (one) copy of photocopy of memo no.2711 of Office of the District Registrar, Mymensingh but did not supply any report of investigation.

Discussion

After hearing the statements of complainant, after reviewing the submitted evidences it appeared that the complainant has been supplied the photocopy of letter of only memo no. 2711 by the Designated Officer (RTI) but did not supply copy of any investigation report. According to Right to Information Act, 2009 by directing the Designated Officer (RTI) to supply the complainant his requested information the complaint can be regarded as settled.

Decision

After detailed discussion the complaint is disposed of with the following directions:

01. The Sub Registrar and Designated Officer (RTI), Nandail, Mymensingh is directed to supply complainant his desired information on or before 12.03.2014 subject to pay the cost of information.
02. The Designated Officer (RTI) is directed to deposit the money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
03. Both parties are directed to inform the Information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 14/2014

Complainant: **Mr. Md. Abdullah Al Raihan** Opposite Party: **Mr. Hossain Mohammad Emran**
S/O. Siraj Uddin Education Officer
E-34, Agargaon &
Dhaka-1207. Designated Officer (RTI)
Department of Primary Education
Mirpur, Dhaka.

Decision Paper **(Date: 29-04-2014)**

The complainant Mr. Md. Abdullah Al Raihan lodged petition by GEP Post on 27.10.2013 to Education Officer & Designated Officer (RTI) of Department of Primary Education Mr. Hossain Mohammad Emran seeking for the following written information according to section-8(1) of Right to Information Act, 2009-

- **In the light of D.O. Letter of Mr. Md. Shahid Uddin Anny, Hon'ble Member of Parliament, Lakshmipur-3 submitted on 13.03.2013, the information regarding progress in the matter of providing the instrument of sports in the stated 06 Primary School.**

02. Having not found the desired information within fixed time the complainant appealed to Director General and Appellate Authority (RTI) of Department of Primary Education on 29.12.2013. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 02.02.2014.

03. The matter was discussed in the meeting on 09.02.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 03.03.2014.

04. The complainant prayed seeking time. The prayer for time is sanctioned by the commission. Fixing the date of hearing again on 24.03.2014 summonses were issued to the complainant and Designated Officer (RTI).

05. The Designated Officer (RTI) prayed seeking time. The prayer for time is sanctioned by the commission. Fixing date of hearing again on 29.04.2014 summonses were issued to the complainant and Designated Officer (RTI).

06. On fixed date of hearing the complainant Mr. Md. Abdullah Al Raihan did not appear. The opposite party Education Officer and Designated Officer (RTI) of Department of Primary Education

Mr. Hossain Mohammad Emran appeared. The Designated Officer (RTI) mentioned in his statement that no prayer was found from the complainant. After filing appeal he has been informed regarding desired information of the complainant. He more mentioned that according to Form 'Ka' because of not receiving any prayer from the complainant, because of not informing regarding DO letter of Member of Parliament and because of not getting enclosed copy regarding name, address of 06 schools it was not possible to supply information to the complainant.

07. The complainant has sought the description of instrument for sports. In this matter if the complainant pray to the Designated Officer (RTI) of Department of Sports, he may get information. In this matter the Designated Officer (RTI) could inform to the complainant, in pursuance of such opinion of the commission the Designated Officer (RTI) expresses his consent in the matter of informing to the complainant.

Discussion

After hearing the statements of Designated Officer (RTI) and after reviewing the submitted evidence it appeared that for the desired information of the complainant, having not prayed to Designated Officer (RTI) of Department of Primary Education if prayed to Designated Officer (RTI) of Department of Sports it would be easier to get desired information. The Designated Officer (RTI) because of assuring to give advice to the complainant to get his desired information the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. The Designated Officer (RTI) of Department of Primary Education is directed to advice the complainant to pray to Designated Officer (RTI) of Department of Sports.
2. Both parties are directed to inform the Information Commission after implementing the direction.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 15/2014

Complainant: Mr. Iqbal Hossain Forkan

S/O. Late Alhaj M. A. Fattah
8/G, Concord Grand
169/1, Shantinagar
Ddhaka-1217.

Opposite Party: Mr. Md. Mizbah Uddin Mollah

Assistant Secretary
&
Designated Officer (RTI)
Department of Rural Development &
Co-operative
Ministry of Rural Development & Co-operative
Bangladesh Secretariat, Dhaka-1000.

Decision Paper

(Date: 24-03-2014)

The complainant Mr. Iqbal Hossain Forkan lodged application on 14.11.2013 to the Designated Officer (RTI) of Department of Rural Development & Co-operative seeking for the following written information according to section-8(1) of Right to Information Act, 2009

- **Being aggrieved against order to cancel the registration of Chandradwip Co-operative Society Ltd. through order no. 253, dated: 26.08.2013 of Registrar of Department of Co-operative, according to rule-119(4) of Co-operative Society Regulation, 2004 when filed appeal to Secretary, Department of Rural Development & Co-operative on last 04.09.2013, the Hon'ble Secretary took hearing of the submitted appeal on 06.10.2013. After the said hearing the copy of order given by the Hon'ble Secretary.**

02. Not getting any information within the specific time the complainant appealed to Secretary and Appellate Authority (RTI) of Department of Rural Development & Co-operative on 15.12.2013. Despite of filing of appeal prayer having not found any remedy the complainant filed complaint to the Information Commission on 04.02.2014.

03. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 24.03.2014.

04. On the fixed date of hearing the complainant Mr. Iqbal Hossain Forkan and the opposite party Mr. Md. Mizbah Uddin Molla, Assistant Secretary & Designated Officer (RTI) appeared. The complainant mentioned in his statement that according to Right to Information Act, 2008 he prayed to Designated Officer (RTI) seeking for the information mentioned in paragraph no.1. Not getting the requested information he filed appeal to the Appellate Authority (RTI). Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission.

05. The Designated Officer (RTI) of Department of Rural Development & Co-operative mentioned in his statement that he did not receive the copy of prayer for getting information. After receiving summon he came to know searching the concerned section that the complainant had been supplied his desired information on 05.11.2013. He also came with information.

Discussion

After hearing the statements of complainant and Designated Officer (RTI) and after reviewing the submitted evidence it appeared that the complainant has been supplied information before from the concerned section. The complainant because of not obtaining information, because of the Designated Officer (RTI) assuring to supply information again, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. The Designated Officer (RTI) of Department of Rural Development & Co-operative is directed to supply the complainant his desired information subject to pay the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the Information Commission after implementing the direction.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 16/2014

Complainant: Munshi Md. Mohsin Shahin	Opposite Party: Mr. Md. Abdur Rahman
Computer Demonstrator	Principal
Sheikh Borhanuddin College	Sheikh Borhanuddin College
62, Nazimuddin Road	62, Nazimuddin Road
Dhaka-1100.	Dhaka-1100.

Decision Paper

(Date: 24-03-2014)

The complainant Munshi Md. Mohsin Shahin submitted complaint to the Information Commission on 04.02.2014 that according to Right to Information Act no Designated Officer (RTI) was appointed by the authority of Sheikh Borhanuddin College. He mentioned in complaint that because of not appointing Designated Officer (RTI) he could not apply to get information.

02. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 24.03.2014.

03. On the fixed date of hearing the complainant Munshi Md. Mohsin Shahin and the opposite party the acting Principal of Sheikh Borhanuddin College Mr. Md. Abdur Rahman appeared. The complainant mentioned in his statement that because of not appointing Designated Officer (RTI) in the said college he could not apply seeking for some information of the college.

04. The acting Principal of Sheikh Borhanuddin College mentioned in his statement that he was not informed about Right to Information Act, 2009. After receiving summon being informed about Right to Information Act the Designated Officer (RTI) has been appointed to this effect he informed to the commission and begged apology for not knowing about Act.

05. As Principal he may appoint himself as Designated Officer (RTI) or any other teacher of the college. The commission expressed opinion that President of Governing Body shall be the Appellate Authority (RTI).

Discussion

After hearing the statements of complainant and Designated Officer (RTI) and after reviewing the submitted evidence it appeared that the Principal was not informed about Right to Information Act, 2009. Subsequently the Designated Officer (RTI) has been appointed. Because of assuring the commission to appoint Principal Self of College or any teacher of college as Designated Officer (RTI) and by fixing President of Governing Body of College as Appellate Authority (RTI), the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following written direction:

01. The Acting Principal of Sheikh Borhanuddin College is directed to inform the commission appointing Principal himself or any teacher of college as Designated Officer (RTI) and fixing President of Governing Body of college as Appellate Authority (RTI).
02. After appointing Designated Officer (RTI) if the complaint apply to get information to Designated Officer (RTI), it is directed to provide complainant his desired information subject to get information cost.
03. Both parties are directed to inform the Information Commission after the direction.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 17/2014

Complainant: Mr. A.A.M. Ekramul Hoque Asad	Opposite Party: Mr. Md. Hafizur Rahman
Editor & Publisher	Upazila Food Controller
Nirbhik Songbad, 57	&
East Tejturi Bazar	Designated Officer (RTI)
Rahman Mansion (3 rd Floor)	Satkhira Sadar, Satkhira.
Farmgate, Dhaka-1215.	

Decision Paper

(Date: 29-04-2014)

The complainant Mr. A. M. M. Ekramul Hoque informed in his prayer that earlier after hearing in the matter of his submitted complaint no. 91/2013 although directed to supply information by Information Commission, the Designated Officer (RTI) did not supply information. Because of the Designated Officer (RTI) not supplying information, the complainant filed complaint again to the Information Commission on 05.02.2014 to get desired information.

02. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 24.03.2014.

03. The Designated Officer (RTI) prayed seeking time. The prayer for time was sanctioned by commission. Fixing the date of hearing again on 29.04.2014, summonses were issued to the complainant and Designated Officer (RTI).

04. On fixed date of hearing the complainant A. A. M. Ekramul Hoque Asad and the opposite party Upazila Food Controller and Designated Officer (RTI) of Sadar Upazila, Satkhira Mr. Md. Hafizur Rahman appeared. The complainant mentioned in his statement that according to the decision of the commission the Designated Officer (RTI) has supplied rest information of 'Ka' part other than name and address of mill of 'Ka' part and information of 'Kha' part of previous desired information. He submitted complainant again to the Information Commission to get entire information.

05. The Designated Officer (RTI) of Sadar Upazila of Satkhira District mentioned in his statement that he got new duty as Designated Officer (RTI). Among the desired information he has supplied rest information of 'Ka' other than name and address of mill of 'Ka' part and information of 'Kha' part. According to the direction of the commission he has assured to supply rest information of the complainant by next 07 (seven) days.

06. The amount of allotment of mill of which year he sought to know, in reply of such question of the commission the complainant informed that he wanted to know the information of the year 2013.

Discussion

After hearing both the complainant and Designated Officer (RTI) and after reviewing the submitted evidence it appeared that the partial information of desired information of the complainant has been supplied by the Designated Officer (RTI). Because of assuring to supply rest information of the complainant by the Designated Officer (RTI), the complainant seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following direction:

01. The Food Controller and Designated Officer (RTI) of Sadar Upazila of Satkhira District is directed to supply complainant his desired mill's name, address and the quantity of allotment of the year-2013 on or before 11.05.2014 subject to pay the cost of information.
02. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
03. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

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

Complaint No: 18/2014

Complainant: Mr. A. A. M. Ekramul Hoque Asad Editor & Publisher Nirbhik Songbad, 57, East Tejturi Bazar Rahman Mansion (3 rd Floor) Farmgate, Dhaka-1215.	Opposite Party: Upazila Secondary Education Officer & Designated Officer (RTI) Upazila Secondary Education Officer Tala, Satkhira.

Decision Paper
(Date: 29-04-2014)

The complainant Mr. A. M. M. Ekramul Hoque informed in his application that in the meantime, after hearing in the matter of his submitted complaint no. 90/2013 although the Information Commission directed to supply information by the Designated Officer (RTI) did not supply information. Because of the Designated Officer (RTI) not supplying information the complainant filed complaint again to the Information Commission on 05.02.2014 to get desired information.

02. The matter was discussed in the meeting of the commission on 06.03.2014. According to the decision of the meeting, summonses were issued to the concerned parties fixing the date of hearing on 24.03.2014.

03. On the fixed date of hearing the complainant Mr. A. A. M. Ekramul Hoque Asad appeared. On behalf of Designated Officer (RTI) Sheikh Farid Ahmed, Office Assistant, Upazila Secondary Education Office, Tala, Satkhira prayed for time being present in the commission. The prayer for time is sanctioned by the commission. Fixing the date of hearing again on 29.04.2014 summonses were issued to the complainant and Designated Officer (RTI).

04. On the fixed date of hearing the complainant and Designated Officer appeared. The complainant by submitting letter to Information Commission mentioned that he has obtained desired information. At present he has no complaint, so, he has requested to direct to revoke the complaint.

Discussion

After reviewing the submitted written evidence of the complainant it appeared that the complainant has been supplied the information by Designated Officer (RTI). The complainant has obtained information and has requested to revoke the complaint so, the complainant seems to be disposable.

Decision

Since, the complainant has obtained desired information and prayed to revoke the complainant, so, the complaint is disposed of with permission for revoking.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 19/2014

Complainant: Mr. Golam Mostafa Jibon
S/O. Gazi Md. Moyez Uddin
Sarker
Railway Colony
(Adjacent to Markus Mosque)
Sirajganj.

Opposite Party: Mr. Md. Sujauddoula
Assistant Commissioner
&
Designated Officer (RTI)
Office of the Deputy Commissioner
Sirajganj.

Decision Paper (Date: 24-03-2014)

The complainant Mr. Golam Mostafa Jibon having not found information of his submitted complaint no. 02/2014 filed complaint again to the Information Commission against Assistant Commissioner and Designated Officer (RTI) of office of the Deputy Commissioner, Sirajganj, Md. Sujauddoula on 12.02.2014. He mentioned in his complaint that after hearing in the matter of complaint no. 02/2014 according to direction given by Information Commission, no information was supplied by Designated Officer (RTI). Because of the Designated Officer (RTI) not supplying information the complainant filed complaint again to the Information Commission on 12.02.2014 to get desired information.

02. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 24.03.2014.

03. On the fixed date of hearing the complainant and Designated Officer (RTI) appeared. The complainant by submitting letter to Information Commission mentioned that he has obtained information. At present he has no complaint, so, he has requested to direct to revoke the complaint.

Discussion

After reviewing the submitted evidence of the complainant it appeared that the complainant has been supplied the information by Designated Officer (RTI). The complainant has obtained information and has requested to revoke the complaint so, the complainant seems to be disposable.

Decision

Since, the complainant has obtained information and prayed to revoke the complainant, so, the complaint I disposed of along with permission for revoking.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 20/2014

Complainant: Mr. Md. Manik Miah

S/O. Md. Abbas Ali
Harua East Fishery Road
Kishoreganj.

Opposite Party: Upazila Nirbahi Officer

&
Assistant Commissioner (Land)
(Addl.Duty)
&
Designated Officer (RTI)
Kishoreganj Sadar.

Decision Paper

(Date: 29-04-2014)

The complainant Mr. Md. Manik Miah lodged petition on 12.06.2013 to Assistant Commissioner (Land) and Designated Officer (RTI) of Kishoreganj Sadar Mr. Md. Nuruzzaman seeking for the following information according to section-8(1) of Right to Information Act, 2009:

- **A. K. M. Fazlul Hoque, Revenue Deputy Collector, Kishoreganj directed lodging separate Misc. Suit in the stated matter of the petitioner through Memo No. 2-7/24/09,1756/1(3)S.A/T, dated: 27.08.2009 of office of the Deputy Commissioner (Revenue), Section Kishoreganj, after hearing of the both parties to take necessary action to Assistant Commissioner (Land), Kishoreganj Sadar, the photocopy of the said Misc. suit and photocopy of serving notice to the parties and photocopy of taking necessary action.**

02. Having not found desired information within fixed time the complainant appealed to Deputy Commissioner and Appellate Authority (RTI), Kishoreganj Mr. Md. Siddiqur Rahman on 24.07.2013. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 17.02.2014.

03. The matter was discussed in the meeting on 06.03.2014. According to the decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 24.03.2014.

04. On the fixed date of hearing the complainant Mr. Md. Manik Miah appeared. On behalf of Designated Officer (RTI) Mr. Md. Abdur Rafique Khan, Kanungo, Upazila Land Office, Kishoreganj Sadar being present in commission prayed for time. Prayer for time was sanctioned by the commission and fixing the date of hearing again on 29.04.2014 and summonses were issued to the complainant and Designated Officer (RTI).

05. On the fixed date of hearing the complainant and Designated Officer (RTI) are absent. The complainant by submitting letter to the Information Commission mentioned that he has obtained desired information. At present he has no complaint, so, he has requested to direct to revoke the complaint.

06. The Upazila Nirbahi Officer and Assistant Commissioner (Land) and Designated Officer (RTI) of Kishoreganj Sadar in pursuance of receiving information of the complainant has sent the prayer for revoking the complaint to take necessary action.

Discussion

After reviewing the submitted evidence of the complainant it appeared that the complainant has been supplied his desired information by Designated Officer (RTI). The complainant has obtained information and has requested to revoke the complainant so, the complainant seems to be disposable.

Decision

Since, the complainant has obtained information and prayed to revoke the complainant, so, the complaint is disposed of along with permission for revoking.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 21/2014

Complainant: Mr. Md. Mozammel Hoque
S/O. Late Munshi Mortuz Ali
Fire Service Academy
30, R. K. Dash Road, Sutrapur
Dhaka-1100.

Opposite Party: Dr. Jahurul Amin Miah
Deputy Director
&
Designated Officer (RTI)
Fire Service & Civil Defence
Dhaka Division, Dhaka.

Decision Paper **(Date: 27-03-2014)**

The complainant Mr. Md. Mozammel Hoque lodged petition on 15.12.2013 to Deputy Director and Designated Officer (RTI) of Fire Service and Civil Defence, Headquarter, Dhaka Mr. Jahurul Amin Miah seeking for the following information according to section-8(1) of Right to Information Act, 2009-

- 1. Total amount of money spent by the Fire Service and civil Defence in Dhaka in the head of litigation in different courts during the financial year 2011-2013.**
- 2. Total number of cases filed and/or defended and/or continuing by Fire Service and Civil Defence in different courts in Dhaka (names of the parties with list) during the financial year 2011-2013.**
- 3. Total number of cases filed against the officials of the Fire Service and civil Defence in their personal names, expenses spent in these cases and statement on how these expenses has been met with particular reference to head of expense.**
- 4. Total amount of legal fees paid to senior Advocate Mr. Abdur Rob Chowdhury and Mr. Matiur Rahman along with appointed legal advisor Mr. Abdul Kader while hearing the AT case no. 235/09 dated 03.11.2013 before the Administrative Appellate Tribunal. Statement on how and from which head this legal fees have been made out.**

02. In pursuance of prayer the Designated Officer (RTI) informed the complainant through letter to this effect that the desired information is not preserved in his office through memo no.2668/2, dated: 31.12.2013. Having not found desired information the complainant appealed to Director General and Appellate Authority (RTI) of Fire Service and Civil Defence on 14.01.2014. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 17.02.2014.

03. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 27.03.2014.

04. On the fixed date of hearing the complainant Mr. Md. Mozammel Hoque and Deputy Director and Designated Officer (RTI) of Fire Service and Civil Defence, Dhaka Division, Dhaka Mr. Jahurul Amin Miah appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he filed application to Designated Officer (RTI) seeking for the information mentioned in paragraph no.01. In pursuance of said prayer the Designated Officer (RTI) served letter to this effect that the desired information is not preserved in his office on memo no. 2668/2, dated: 31.12.2013. Being dissatisfied with the obtained information he appealed to Appellate Authority (RTI). After filing appeal, the authority sent letter to the Senior Secretary of Ministry of Home Affairs seeking direction for supplying desired information. Subsequently having not found any remedy he submitted complaint to the Information Commission.

05. The Deputy Director and Designated Officer (RTI) of Fire Service and Civil Defence, Dhaka Division, Dhaka mentioned in his statement that the function regarding suit stated in prayer is not maintained from his office, so, it was not possible to supply the complainant the information. The function regarding this suit is maintained by head office. In this matter if he prays to Department the complainant may obtain his desired information. He is Designated Officer (RTI) of Fire Service and Civil Defence, Dhaka Division, Dhaka, not the Designated Officer (RTI) of the Department.

06. When the complainant is directed to pray to obtain information from the Designated Officer (RTI) of Department of Fire Service and Civil Defence for desired information, he informed that there is no separate Designated Officer (RTI) for the Department. The present Designated officer is also the Designated Officer of the Department. When the complainant mentioned in this matter, the present Designated Officer (RTI) declined that.

07. According to the Right to Information Act, 2009 why Designated Officer (RTI) of Department was not appointed by Director General of Department of Fire Service and Civil Defence, he is directed to explain the cause of not appointing the Designated Officer and to appoint the Designated Officer to inform the commission with copy to the complainant.

Discussion

After hearing the statement of complainant and opposite party and after reviewing the submitted evidences it appeared that because of not remaining desired information of the complainant in head office of Department of Fire Service and Civil Defence if properly pray to Designated Officer (RTI) of that office getting desired information shall be easier. The opposite party Deputy Director and Designated Officer (RTI) of Fire Service and Civil Defence, Headquarter, Dhaka Mr. Jahurul Amin Miah because of not being Designated Officer of the Department, by exempting him from the liability of brought complaint against him, the complaint can be disposed of.

Decision

After detailed discussion the complaint is disposed of with the following directions:

01. The Director General of Department of Fire Service and Civil Defence is directed to explain the cause of not appointing the Designated Officer (RTI) according to Right to Information Act, 2009 by the Director General of Department of Fire Service and Civil Defence and appointing the Designated Officer (RTI) to inform the commission with copy of letter to the complainant.
02. The complainant is disposed of with the direction to the complainant to apply to Designated Officer (RTI) of the concerned Department to get the desired information.
03. The opposite party Deputy Director and Designated Officer (RTI) of Fire Service and Civil Defence, Headquarter, Dhaka Mr. Jahurul Amin Miah is exempted from liability of complaint brought against him.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 22/2014

Complainant: Mr. Md. Tariqul Islam Lincoln
S/O. Md. Abdul Mazid Miah
62/3/B, South Mugdapara
Dhaka.

Opposite Party: Dr. Nazrul Islam Misha
Public Relation Officer
&
Designated Officer (RTI)
B.I.W.T.C, 5, Dilkusha
Motijheel, Dhaka.

Decision Paper **(Date: 29-04-2014)**

The complainant Mr. Md. Tariqul Islam Lincoln in the matter of his submitted complaint no. 01/2014 filed complaint to the Information Commission against Public Relation Officer and Designated Officer (RTI) of B.I.W.T.C. Mr. Nazrul Islam Misha and Chairman and Appellate Authority of B.I.W.T.C. He mentioned in his complaint that after hearing in the matter of complaint no. 01/2014 although the direction has been given to supply information by the information commission, the Designated Officer (RTI) because of not supplying desired information he was harassed. Because of not supplying information according to Act the complainant filed complaint to the Information Commission again on 24.02.2014 to take action against the accused.

02. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 27.03.2014.

03. The Designated Officer (RTI) prayed for time. The prayer for time was sanctioned by the commission and fixing date of hearing again on 29.04.2014 and summonses were issued to the complainant and Designated Officer (RTI).

04. On the fixed date of hearing the complainant Mr. Md. Tariqul Islam Lincoln and opposite party Public Relation Officer and Designated Officer (RTI) of B.I.W.T.C. Mr. Nazrul Islam Misha appeared. The complainant mentioned in his statement that after hearing in the matter of complaint no. 01/2014 although the direction has been given to supply information by the information commission, the Designated Officer (RTI) because of supplying puzzling information, he submitted complaint again to the Information Commission.

05. The Public Relation Officer and Designated Officer (RTI) of B.I.W.T.C mentioned in his statement that the complainant has been supplied his desired information. But the complainant was not

satisfied. Today he came with all information. According to direction of the commission he assured to supply entire information to the complainant.

Discussion

After hearing the statement of both the complainant and Designated Officer (RTI) and after reviewing the submitted evidence it appeared that the partial information of desired information of the complainant has been supplied by the Designated Officer (RTI). There is no signature of officer in supplied investigation report. Because of assuring to supply entire information of the complainant by the Designated Officer (RTI) the complaint is seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

01. The Public Relation Officer and Designated Officer (RTI) of B.I.W.T.C is directed to supply complainant his desired information on or before 07.05.2014 subject to pay the cost of information.
02. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
03. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 23/2014

Complainant: Mr. Shadin Md. Tareque
S/O.Mohammad Mozibur Rahman
SSAE/Mech
Keloka Bangladesh Railway
Parbotipur, Dinajpur.

Opposite Party:Mr. Raihan Ahmed
Assistant Commissioner
&
Designated Officer (RTI)
Record Room Section
Office of the Deputy Commissioner
Rajshahi

Decision Paper **(Date: 29-04-2014)**

The complainant Mr. Shadin Tareque lodged petition by registered post to Mr. Raihan Ahmed, Assistant Commissioner and Designated Officer (RTI), Record Room Section, Office of the Deputy Commissioner, Rajshahi seeking for the following information according to section-8(1) of Right to Information Act, 2009-

- 1. According to Citizen Charter getting copy of ledger is a Citizen Right, because of tearing the ledger it may not be possible to supply copy within specific time, but due to said issue if copy of ledger is not supplied to me, then according to which law my receiving has been abolished?**
- 2. The alternative source of supplying of copy of ledger is more, (like-copy of delivered copy or copy of another office etc) from these supplying copy by any way can maintain service of record room, otherwise Citizen Right is violated, so, whether I shall be supplied copy of ledger by alternative way?**

02. Having not found the desired information within fixed time the complainant appealed to Mr. Helaluddin Ahmed, Divisional Commissioner and Appellate Authority (RTI), Rajshahi on 06.01.2014. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 24.02.2014.

03. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 27.03.2014.

04. The Designated Officer (RTI) prayed for time. The prayer for time was sanctioned by the commission and fixing the date of hearing again on 29.04.2014 and summonses were issued to the complainant and Designated Officer (RTI).

05. On the fixed date of hearing the complainant Mr. Shadin Md. Tareque and opposite party Assistant Commissioner of Office of the Deputy Commissioner, Rajshahi Mr. Raihan Ahmed appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he lodged petition to Designated Officer (RTI) seeking for the information mentioned in paragraph no.01. Having not found information he appealed to Appellate Authority (RTI). Although filing appeal having not found any remedy he submitted complaint to the Information Commission. Subsequently the Designated Officer (RTI) supplied him information on 20.03.2014 and he is satisfied with the requested information.

06. Assistant Commissioner and Designated Officer (RTI) of Office of the Deputy Commissioner, Rajshahi mentioned in his statement that because of not supplying desired information of the complainant in due time he expressed his sorrow. On 20.03.2014 the complainant has been supplied his desired information and being satisfied with obtained information the complainant has given written remarks.

Discussion

After hearing the statement both complainant and opposite party and after reviewing the submitted evidence it appeared that the complainant has been supplied his desired information by the opposite party. The complainant has obtained information and has expressed his satisfaction, so the complainant seems to be disposable.

Decision

Since, the complainant has received information and has expressed his satisfaction, so, the complainant is disposed of.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 24/2014

Complainant: Jesmin Hoque

D/O. Late Gazi Faridul Hoque
C/O. Sheikh Abdur Rouf
(Joint Secretary)
Vill+P.O: Dhalaitola
Lohagora, Narail.

Opposite Party: Dr. Mohammed Shamim Ahsan

Director General
&
Designated Officer (RTI)
Ministry of Foreign Affairs,
Administration Wing
Segunbagicha, Dhaka.

Decision Paper

(Date: 27-03-2014)

The complainant Jesmin Hoque lodged petition by registered post on 23.12.2013 to Director General (Administration) and Designated Officer (RTI) of Ministry of Foreign Affairs seeking for the following information according to section-8(1) of Right to Information Act, 2009-

- 1. I submitted my written statement to three members consisted committee at office room of Director General (Africa) of Ministry of Foreign Affairs Mr. Allama Siddiqui on last 05.11.2013. Here is mentionable that this Ministry does not admit offence of their officer-employee, the written letter and photograph to the Embassy is adequate proof, but the Ministry does not take cognizance. As a result, I am depriving from fair judgment. I want my compensation. What decision of written statement, dated-05.11.2013 had been taken I request to inform that.**
- 2. In pursuance of submitted prayer no. 71/2012 of information commission informed through letter signed by Mr. Syed Masud Mahmud Khandoker of Ex. Publication Sub Section of Ministry of Foreign Affairs that the complaint was not proved because of lacking evidence. Their officer-employee did not work keeping proof. I have been deprived from fair judgement. The Ministry of Foreign Affairs shall have to compensate the demurrage of my life.**
- 3. I was directed from the committee on 05.11.2013 that the place of occurrence in Saudi Arabia, which Bangladeshi were on duty in the company and which officer-employee of Indian are culprits whether brought out them under Saudi Law, whether any action has been taken?**
- 4. BMET investigate my incident, the incident is proved under investigation. Fixing a minimum compensation to the owner of agency exempted, which I did not accept till today. I want my entire compensation.**

5. I humbly request to inform the decision of submitted complaint no. 75/2013 of the Information Commission by the Ministry of Foreign Affairs.

02. Having not found desired information within fixed time the complainant appealed to Secretary and Appellate Authority (RTI) of Ministry of Foreign Affairs Mr. Shahidul Hoque on 22.01.2014. Despite of filing appeal having not found any remedy she submitted complaint to the Information Commission on 25.02.2014.

03. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 27.03.2014.

04. On the fixed date of hearing the complainant Jesmin Hoque appeared but Designated Officer (RTI) is absent without showing any cause. The complainant mentioned in her statement that according to Right to Information Act, 2009 she lodged petition to Designated Officer (RTI) seeking for the information mentioned in paragraph no.01. Having not found information she appealed to Appellate Authority (RTI). After filing appeal having not found any remedy she submitted complaint to the Information Commission.

05. The commission opined to serve letter to Designated Officer (RTI) to explain the cause of absence in the Tribunal on fixed date of hearing. Among the desired information of the complainant taken decision of written statement, dated: 05.11.2013 mentioned in serial no.1, information of serial no.3 and serial no.5 can be supplied according to Right to Information Act, 2009. The rest information is not under jurisdiction of Right to Information Act, the commission think.

Discussion

After reviewing the submitted evidence of the complainant it appeared that among the desired information of the complainant taken decision of written statement, dated: 05.11.2013 mentioned in serial no.1, information of serial no.3 and serial no.5 can be supplied. The information of serial no.2 and 4 are not under jurisdiction of Right to Information Act it is seemed.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. The Designated Officer (RTI) is directed to explain proper cause for not appearing in the hearing of commission without intimation.
2. Director General (Administration) and Designated Officer (RTI) of Ministry of Foreign Affairs is directed to supply the complainant taken decision of written statement, dated: 05.11.2013 mentioned in serial no.1, information of serial no.3 and serial no.5 subject to pay the cost of information.

3. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
4. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No: 25/2014

Complainant: Mr. Ferdous Hasan
S/O. Md. Hasan Ali Sheikh
J. C. Road, Dhanbandhi
Sirajganj

Opposite Party: Dr. Parvez Rahim
Deputy Director (Establishment)
&
Designated Officer (RTI)
Department of Primary Education
Mirpur-2, Dhaka-1216.

Decision Paper **(Date: 27-03-2014)**

The complainant Mr. Ferdous Hasan mentioned in the matter of his submitted complaint no. 83/2013 that after hearing according to direction given by the Information Commission the Designated Officer (RTI) did not supply his desired information. To get desired information the complainant filed complaint again to the Information Commission on 25.02.2014.

02. The matter was discussed in the meeting on 06.03.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 27.03.2014.

03. On the fixed date of hearing the complainant Mr. Ferdous Hasan and the opposite party Designated Officer (RTI) of Department of Primary Education Dr. Parvez Rahim appeared. The complainant mentioned in his statement that according to decision of the Information Commission he was not supplied information. He has been directed to collect information over telephonic conversation. Because of not getting any written document the information was not collected.

04. The Designated Officer of Department of Primary Education (RTI) mentioned in his statement that it has been directed to collect information over telephonic communication. Because the complainant did not come to the office to collect information it was not possible to supply information. Since, contact has been done over telephone, so, no written information has been given. At present desired information is prepared. According to direction of the commission the assurance has been given by the Designated Officer (RTI) in the matter of supplying information to the complainant.

Discussion

After hearing the statement of complainant and Designated Officer (RTI) and after reviewing the submitted evidence it appeared that it has been directed to the complainant to collect information over telephonic conversation by the Designated Officer (RTI). Because of not supplying written letter no information was collected by the complainant. The desired information of the complainant is prepared and according to direction of the commission the Designated Officer (RTI) assured to supply desired information of the complainant, so, the complainant seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions.

01. The designated officer (RTI) of Department of Primary Education is directed to supply complainant his desired information on or before 07.04.2014 subject to pay the cost of information.
02. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
03. Both parties are directed to inform to information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed/-
(Mohammad Abu Taher)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

Archaeology Building (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-E-Bangla Nagar, Dhaka-1207

Complaint No.-26/2014

Complainant: Mr. Md. Abdul Hakim

Father-Late Momin Uddin Howlader

Village-Baliar Katha

Post-Chakhar, Upazila-Banaripara

District-Barisal.

Opposite Party: Momena Khatun

Deputy Secretary

&

Designated Officer (RTI)

Ministry of Environment & Forestry

Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-29-04-2014)

Complainant Mr. Md. Abdul Hakim filed application by registered post on 15-12-2013 to Momena Khatun, Deputy Secretary of Ministry of Environment & Forestry & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Basis to decision of Information Commission dated-16-04-2013, since you served me no information on or before 15-05-2013, I had requested you to serve information through a letter by registered post dated-04-06-2013 bearing Registry Receipt No.-792 but in reply, being served no information as prayed for violating section 9 of Right to Information Act, 2009, I had filed complaints to the Chief Information Commissioner on last 10-07-2013. Complaint No.-67/2013. I had received summon for that complaint at about 3.30 P.M. on last 22-09-2013 but to very limited time could not appear in the hearing of 23-09-2013. Return copy of summon for hearing is evidence in this regard. Due to my absence, on affirmation before the Information Commission, you serve false statement that you serve information to me as prayed for. It is false & harassing under section 27(1)(a)(b)(c) & (d) of Right to Information.**
- **Hence I want to know that, you served me information on which date & the memo number of served information & sent by which registry receipt on which date? I want clear & correct information in this regard.**

02. Not getting the requested information in due time, the complainant filed appeal to the Secretary of Ministry of Environment & Forestry & Appellate Authority (RTI) on 20-01-2013. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 25-02-2014.

03. Agenda was discussed in the meeting of Commission dated-06-03-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-03-2014.

04. The complainant & Designated Officer (RTI) filed time petition. Time petition was approved by the Commission. Fixing the date of hearing on 29-04-2014 issued summonses to the complainant & Designated Officer (RTI) again.

05. On the date of hearing complainant Mr. Md. Abdul Hakim remains absent. The opposite party Momena Khatun, Deputy Secretary of Ministry of Environment & Forestry & the Designated Officer(RTI) is present.

06. Since the complainant remains absent in hearing consecutively; shows that he has no need of information more & only trying to harass the opposite party.

Discussion

The complainant since remains absent in hearing of Commission in consecutive 02(two) times so, it shows that he is no more interested to get information.

Decision

The complainant since remains absent in hearing of Commission in consecutive 02(two) times so, it shows that he is no more interested to get information, so, the complaint disposed of with dismissal order.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-27/2014

Complainant: Mr. Farhad Chowdhury
Father-Ahmed Nur Chowdhury
Fantasy Building
276/A, College Road, Chawk Bazar
Chittagong.

Opposite Party: Mr. Saifuddin Ahmed
Former Public Relations Officer
&
Designated Officer (RTI)
Chittagong City Corporation
Andar Killa
Chittagong.

Decision Paper

(Date-30-04-2014)

Complainant Mr. Farhad Chowdhury filed application on 21-11-2013 to the Former Public Relations Officer of Chittagong City Corporation & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. The Power of Attorney executed by the authority of The Memon Cooperative Housing Society Ltd." in favor of Dalilur Rahman to sell land & the deed of advance signed by and between Chittagong City Corporation & Dalilur Rahman, Father-Late Nur Ullah, M/S. Rahman Enterprise, 54, Shahi Jame Mosque Market (1st Floor), Andar Killa, Chittagong; photocopy of deed of advance.**
- 2. As advance against sell of land to Chittagong City Corporation vide the power of attorney; cheques received by Dalilur Rahman a sum Tk. 25,00,000/- (twenty five lac) + Tk. 25,00,000/- (twenty five lac) in a total Tk. 50,00,000/- (fifty lac) in two times with cheques Nos./pay order nos. & dates of pay/issue cheques & name of Bank (photocopy of cheques if available).**
- 3. Photocopy of tripartite agreement signed by & between Chittagong City Corporation and management authority of The Memon Cooperative Society Ltd. & Dalilur Rahman regarding sell & purchase of land.**
- 4. Photocopy to registered deed by & between Chittagong City Corporation and The Memon Cooperative Society Ltd. dated-06-08-2013.**
- 5. How much cash amount paid to the authority of The Memon Cooperative Society Ltd. as value of land from Chittagong City Corporation? Cheque No. of given amount, date of issue the cheque, name of bank & details with figure of amount (photocopy of cheque if available).**

02. Not getting the requested information in due time, the complainant filed appeal to the Chief Executive Officer of Chittagong City Corporation & Appellate Authority (RTI) on 31-12-2013. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on last 27-02-2014.

03. Agenda was discussed in the meeting of Commission dated-06-03-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-03-2014.

04. The complainant filed time petition. Time petition was approved by the Commission. Fixing the date of hearing on 30-04-2014 issued summonses to the complainant & Designated Officer (RTI) again.

05. On the date of hearing complainant Mr. Farhad Chowdhury remains absent. The opposite party Mr. Saifuddin Ahmed, the Accounts Officer (Bill) of Chittagong City Corporation & Former Public Relations Officer & Designated Officer (RTI) is present. The opposite party in his statement informed that, he is no more the Designated Officer (RTI) of Chittagong City Corporation. Previously while was in charge of Designated Officer (RTI) received an application for information. Factor of land sell-purchase of Chittagong City Corporation is maintained by the Estate Section. Since the Public Relations Division has no connection to the subject matter, collecting information from concerned division forwarded file to serve information to the complainant by Designated Officer (RTI). Directed the complainant orally to pay the cost of information & receive the information & directed to collect copy of deed from office of Sub-Registrar.

06. Since there is monetary connection, information sought for in serial No.-05; photocopy of cheques would not be served, the commission observed.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the complainant was directed orally to pay cost of information and collect the information from concerned division. Since there is monetary connection, information sought for in serial No.-05; photocopy of cheques would not be served under Right to Information Act. The Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Public Relations Officer of Chittagong City Corporation & Designated Officer (RTI) is directed to serve the information sought for by the complainant excluding photocopy of cheques under Right to Information Act, 2009 subject to pay the cost of information on or before 11-05-2014.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rule, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-28/2014

Complainant: Mr. Jasim Jia

Father-Md. Mokhlesur Rahman
Sikder Mansion, Brown Compound
Ward No.-16,
Barisal City Corporation
Barisal.

Opposite Party:

Mr. Md. Shah Alam
Executive Engineer
&
Designated Officer (RTI)
Directorate of Public Health
Engineering, Barisal.

Decision Paper

(Date-30-04-2014)

Complainant Mr. Md. Jasim Jia filed application on 06-11-2013 to the Executive Engineer of Directorate of Public Health Engineering of Barisal & the Designated Officer (RTI) seeking for the following question under section 8(1) of Right to Information Act, 2009-

- 1. The goods dumped inside the IV in front of Barisal BM College auctioned in which methodology? Tender called in which newspapers. How much group filed tender and which group obtained the work order? Date of opening the tender, how much were bidders? Information in details/ Description of goods under auction, in details.**
- 2. From year 2009 to July of year 2013 works under the department with amount & description of works. Tender for work called by which newspapers? How much tender filed in which work?**
- 3. Works of tender No.-15 of the year 2013 given to which contractor organization/firm? How much tender filed in that work? Present progress of the work, how much is paid to contractor as bill of work? The bank guarantee submitted by the contractor from which bank & the account number.**
- 4. Particulars of tender bearing No.-16,17,18,19 as tender called in which date & published in which newspaper? Name of firm obtained work order.**
- 5. Particulars regarding payment of Executive Engineer as travel allowances from 2010 to till date.**

02. Not getting the requested information in due time, the complainant filed appeal to the Superintendent Engineer of Directorate of Public Health Engineering of Barisal & Appellate Authority (RTI) on 09-01-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on last 27-02-2014.

03. Agenda was discussed in the meeting of Commission dated-06-03-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-03-2014.

04. The Designated Officer (RTI) filed time petition. Time petition was approved by the Commission. Fixing the date of hearing on 30-04-2014 summonses were issued to the complainant & Designated Officer (RTI) again.

05. On the date of hearing complainant Mr. Jasim Jia & the opposite party Mr. Md. Shah Alam, Executive Engineer of Directorate of Public Health Engineering of Barisal & Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

06. The Executive Engineer of Directorate of Public Health Engineering of Barisal & Designated Officer (RTI) in his statement mentioned that, out of information sought for by the complainant in serial No.-01,02,03&04 is ready to serve. Since the information sought for in serial No.-05 is personal, information could not be provided.

07. Respect to information requested for by the complainant, Commission expressed following opinion.

- * Year & date of auction of goods sought for in serial No.-01 was not specified.
- * Amount for works sought for in serial No.-02 is not clear.
- * Information regarding bank guarantee submitted by the contractor sought for in serial No.-03 i.e. name of bank & account number cannot be served under Rights to Information Act, 2009. But remaining information can be provided under Rights to Information Act, 2009.
- * Information sought for in serial No.-04 & 05 can be provided under Rights to Information Act, 2009.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, out of information prayed by the complainant in serial No.-01&02 is not specified. The complainant if file application for information being specified the requirement in serial No.-01 & 02, information could be provided. Information sought for in serial No.-03 regarding bank guarantee of contractor, excluding name of bank & account number, other might be served & information sought for in serial No.-04 & 05 can be provided under Right to Information Act-2009. As directed by the Information Commission, the Designated Officer (RTI) since ensured to provide information sought for by the complainant, so, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The complainant is directed to file application for information again in respect to information sought for in serial No.-01&02.
2. The Executive Engineer of Directorate of Public Health Engineering of Barisal & the Designated Officer (RTI) is directed to provide the information sought for by the complainant (excluding name of bank & account number) under Right to Information Act, 2009 subject to pay the cost of information on or before 12-05-2014.
3. The Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-29/2014

Complainant: Mr. Biplob Kumar Karmaker
Shahid Smrity Hall
Bangladesh University of
Engineering
Polashi, Dhaka.

Opposite Party: Diana Islam Seema
Public Relations Officer
&
Designated Officer (RTI)
Bangladesh Public Service
Commission Secretariat
Dhaka.

Decision Paper

(Date-30-04-2014)

Complainant Mr. Biplob Kumar Karmaker filed complaint to this effect that, in respect to complaint No.-88/2013 filed by him, after hearing, the Information Commission though directed the Designated Officer (RTI) to serve information. The Designated Officer (RTI) since yet did not provide information prayed for, the complainant filed complaint to the Information Commission to remedy on last 23-03-2014.

03. Agenda was discussed in the meeting of Commission dated-10-04-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-04-2014.

04. On the date of hearing complainant Mr. Biplob Kumar Karmaker & opposite party Diana Islam Seema, the Public Relations Officer of Bangladesh Public Service Commission Secretariat & present Designated Officer (RTI) and Mr. Md. Kabir Hossain Sikder, the attorney for Designated Officer (RTI) are present. The Complainant mentioned in his statement that, after hearing of complaint No.-88/2013 the Commission though directed to serve information, the Designated Officer (RTI) did not provide any information. To obtain information prayed for, the complainant filed complaint again to the Information Commission.

05. The Public Relations Officer of Bangladesh Public Service Commission Secretariat & present Designated Officer (RTI) mentioned in her statement that, he joined in this office on last 19th March, 2014. Since the former Designated Officer (RTI) transferred, she is performing as Designated Officer (RTI) presently. Learned attorney for Designated Officer (RTI) mentioned in his statement that, under clause (f)(g)(h)(i)(q)&(r) of Section 7 of Right to Information Act, 2009 numbers of viva examination taken by the Commission would not be served to any candidate with logical ground. Due to this personal safety of examiner of Viva Board may be hindered. Moreover, any written direction of Information Commission respect to complaint

No.-88/2013 since was not received, information could not be provided. Copy of decision paper if received, further action in this regard may be taken.

06. The Information Commission expressed its opinion that, result sheet of BCS viva examination prepares on average of numbers from examiners of the Board. Information separately since is not prepared; there is no risk of personal safety. Responsible officer of Information Commission informed that written decision paper of complaint No.-88/2013 sent by this time. The Commission directed to serve the decision paper within this day if it was not received.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the result sheet of BCS viva examination are prepared on average of numbers from examiners of the Board, hence there is no risk of personal safety. Moreover, clause (f)(g)(h)(i)(q)&(r) of Section 7 of Right to Information Act-, 2009 is not applicable in providing numbers of viva examination. The Designated Officer (RTI) & attorney for her since ensured to provide information sought for in complaint No.-88/2013 to the Commission to the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions

1. The Public Relations Officer of Bangladesh Public Service Commission Secretariat & present Designated Officer (RTI) is directed to provide the information in respect to decision of complaint No.-88/2013 sought for by the complainant subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as value of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-30/2014

Complainant: Mr. Biplob Kumar Karmaker
Shahid Smrity Hall
Bangladesh University of
Engineering
Polashi, Dhaka.

Opposite Party: Mr. Neyamat Ullah
Director (BCS Examination
Division)
&
Designated Officer (RTI)
Bangladesh Public Service
Commission Secretariat
Agargaon, Dhaka.

Decision Paper

(Date-29-06-2014)

Complainant Mr. Biplob Kumar Karmaker filed application by GEP post on 30-12-2013 to Helena Begum, the Public Relations Officer of Bangladesh Public Service Commission Secretariat & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009:-

Question-1: Written & viva numbers of following registration holders of 29th BCS examination selected under random sampling is how much? (Please show in table below)

Administration : 007251, 027483, 007049, 035279, 028505

Foreign Affairs : 007525, 058455, 015905, 064322, 009890

Customs & excise : 066592, 302325, 011109, 034394, 059124

Taxes : 058716, 009956, 050511, 001208, 008215

Police : 073169, 400802, 067372, 036376, 066856

Table:

Registration No.	Total number obtained in written	Total number obtained in Viva
007251		

Question-2: Photocopy of answer sheet of the subject Science & Technology (Subject Code-010) of following registration holder in 29th BCS Examination-

113424,113667,113824,113901,007251,007525,066592,058716,073169.

Question-3: As direction of Information Commission in respect to complaint No.-88/2013, directed to provide information within 26-11-2013 but yet not received. Are you respectful of the order passed?

02. Not getting the required information in due time, the complainant filed appeal to Mr. Chowdhury Md. Babul Hasan, the Secretary of Bangladesh Public Service Commission Secretariat & Appellate Authority (RTI) on 19-02-2014 by GEP Post. In appeal application, he prayed for information of Question-1 & Question-2. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on last 23-03-2014.

03. Agenda was discussed in the meeting of Commission dated-10-04-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-04-2014.

04. On the date of hearing complainant Mr. Biplob Kumar Karmaker & opposite party Diana Islam, the Public Relations Officer of Bangladesh Public Service Commission Secretariat & Designated Officer (RTI) appeared and presented their statements. In view of further hearing, the commission fixed the date of hearing on 09-06-2014 and issued summonses to the complainant & Designated Officer (RTI).

05. On the date of hearing complainant Mr. Biplob Kumar Karmaker filing time petition remained absent. The Designated Officer (RTI) appearing in hearing and filed time petition. The commission approved time petition and fixing the date of hearing on 29-06-2014 and issued summonses to the complainant & Designated Officer (RTI).

06. On the date of hearing complainant Mr. Biplob Kumar Karmaker & Mr. Neyamat Ullah, the Director of Bangladesh Public Service Commission Secretariat (BCS Examination Division) & changed Designated Officer (RTI) and Mr. Md. Hadiul Islam, the attorney for Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

07. Learned attorney for Designated Officer (RTI) of Bangladesh Public Service Commission Secretariat mentioned in his statement that, secret document of examination taken by the Bangladesh Public Service Commission especially the precise of viva examination number sheet; on the basis of full body board decision, as note sheet & sealed stored in vault room of the Commission under full time guard by Police. Being disclose from vault room of Commission, the precise of note sheet of viva examination, not yet served ever to any candidate or any court. To serve information to any petitioner being disclose of such secret document guard by Police under Right to Information Act need decision of General Council of Bangladesh Public Service Commission regarding rules & regulations in this connection. Since the information of Public Service Commission stored in vault room has no option to disclose without decision of general body of Public Service Commission, he informed. Public Service Commission need at least 30 days to take necessary action to serve information of 29th BCS Viva Examination number sheet & others as requested by the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI), importance of complaint & time petition of Public Service Commission, the commission expressed its opinion that information prayed for might be provided within next 15-07-2014.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Mr. Neyamat Ullah, the Director of Bangladesh Public Service Commission Secretariat (BCS Examination Division) & Designated Officer (RTI) is directed to provide the information to the complainant subject to pay the cost of information on or before 15-07-2014.
2. Designated Officer (RTI) is directed to deposit money collected as value of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-31/2014

Complainant: Mr. Delawer Bin Siraj
Father-Late Hazi Siraj Uddin
2/2 RK Mission Road
2nd Floor, (Gift Valley)
Dhaka-1207.

Opposite Party: Mr. Md. Ataur Rahman
Executive Vice President
Islami Bank Ltd., Head Office
Public Relations Division
40, Dilkusha C/A
Dhaka-1000.

Decision Paper

(Date-09-06-2014)

Complainant Mr. Delawer Bin Siraj filed application on 10-12-201 to Mr. Md. Ataur Rahman, the Executive Vice President of Islami Bank Ltd., Head Office & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009:-

- **Names, addresses of firm given amount as bill of advertisements from Public Relations Division of Islami Bank Bangladesh Ltd. since last 5 years.**
- **By dint of power of credit, Mr. Md. Abdul Mannan issued how much loan from May 2010 to till date and to which organizations & names, addresses of recommendations for loan, written statement mentioning amount of loans.**
- **Financial grants from CSR Fund of Islami Bank Bangladesh Ltd. from January 2010 to till date to which organizations with statement.**

02. In respect to the application, Mr. Md. Ataur Rahman, the Executive Vice President of Islami Bank Bangladesh Ltd., Head Office informed the complainant vide a memo No.-IBBL/PRD/2013/87 Dated-24-12-2013 that, under definition of "Authority" in section 2(b) of Right to Information Act, Islami Bank Bangladesh Ltd. is not an authority at all. Not getting therequested information in due time, the complainant filed appeal to Mr. Mohammad Abdul Mannan, the Managing Director of Islami Bank Bangladesh Ltd. Head Office & Appellate Authority (RTI) on 22-01-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 24-03-2014.

03. Agenda was discussed in the meeting of Commission dated-10-04-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-04-2014.

04. On the date of hearing complainant Mr. Delawer Bin Siraj & Learned Attorney for Designated Officer (RTI) Mr. Shahin Ahmed appeared in the hearing & filed time petition. The commission approved time petition and fixing the date of hearing on 09-06-2014 issued summonses to the complainant & Designated Officer (RTI).

05. On the date of hearing complainant Mr. Delawer Bin Siraj & Mr. Md. Ataur Rahman, the Executive Vice President of Islami Bank Ltd., Head Office & the Designated Officer (RTI) & Learned Attorney for Designated Officer (RTI) Mr. Shahin Ahmed are present. The Complainant mentioned in his statement that, on submission of application for information the Designated Officer (RTI) informed that under section 2(b) of Right to Information, Islami Bank Bangladesh Ltd. is not an authority at all. Then the complainant filed appeal to the Appellate Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to the Information Commission.

06. The Learned attorney for Designated Officer (RTI) of Islami Bank Bangladesh Ltd. mentioned in his statement that, since under definition of Authority in section 2(b) of Right to Information, Islami Bank Bangladesh Ltd. is not an authority at all and hence no information was provided. Off course in annual report of the Bank, information is attached in all aspects, the complainant can collect information from there.

07. In reply of question by the commission that the information whether attached in annual report as requested by the complainant; the learned attorney said all information is not attached. Whether information of CSR attached or not, the complainant informed that information of CSR is not attached.

08. Letter was sent vide memo of Information Commission bearing No.-ICA/Admin-75(Part-2nd)/2012-518 Dated-18-12-2013 to seek opinion of Ministry of Law, Justice & Parliamentary Affairs regarding non-government bank are authority under Right to Information or not. In respect to that letter, the Ministry of Law, Justice & Parliamentary Affairs sent opinion that, basis to Bank Companies Act, 1991 & Financial Organizations Act, 1993 & Companies Act, 1994 all the non-government banks are to be treated as authority. It was informed to the complainant and the learned attorney of Designated Officer (RTI) informed that, the opinion of Ministry of Law, Justice & Parliamentary Affairs is not binding to abide by as law, but the opinion being issued in SRO and publish in gazette, Islami Bank Bangladesh Ltd. to be treated as authority and then they will have no obstacles to provide information as prayed for.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the opinion of Ministry of Law, Justice & Parliamentary Affairs not yet issued as SRO & published in gazette. Hence, the Islami Bank Ltd. since under section 2(b) of Right to Information Act, 2009 is not yet an authority, so, they have no obligation to provide information as prayed for.

Decision

The opinion of Ministry of Law, Justice & Parliamentary Affairs regarding inclusion of non-government bank as authority under section 2(b) of Right to Information Act,2009 decided to send letter to Ministry of Information to request the Banking & Financial Organization Division to publish & issue as SRO. Directing the complainant to file application after issuance of SRO, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-32/2014

Complainant: Mr. Manjurul Hasan Kajol
Father-Late M A Kuddus Fakir
C/O.-Dr. Nayan
Potential Drug House
1/H, 5/9 Gudaraghat Dhal
Kazifuri, Mirpur-1, Dhaka-1216.

Opposite Party: Jahanara Parvin
Assistant Director (Publications)
&
Designated Officer (RTI)
Directorate of Youth Development Yuba
Bhaban
108, Motijheel C/A, Dhaka.

Decision Paper

(Date-30-04-2014)

Complainant Mr. Manjurul Hasan Kajol filed application by registered pos on 12-02-2014t to Jahanara Parvin, the Assistant Director (Publications) of Directorate of Youth Development & the Designated Officer(RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009 :-

- 1. Full names of appointment committee/Divisional Selection Committee formed in response to republished appointment notice dated-31-01-2013 bearing Memo No.-DYD/Admin-30/2012-145 published in website of Directorate of Youth Development & list consisting designation & official phone/mobile numbers.**
- 2. Basis to notification bearing memo No.-34.01.0000.005.11.020.13-1593 Dated-01.12.2013 published in website of the office whether policy for quota issued by former Ministry of Establishment & presently the Ministry of Public Administration duly followed in appointment of 3rd & 4th class staffs appointed under this department or not? The answer if no, then the rules of quota policy followed in appointment of 3rd & 4th class staffs dated-01-12-2013; the attested photocopy of order recently issued by the Ministry of Public Administration respect to quota policy.**
- 3. Vide appointed order dated-01-12-2013, out of appointed staffs in various posts who was appointed in which quota (including accounts of appointed staffs against quota following the recent quota policy relevant circulation issued by the Ministry of Public Administration); list of that.**
- 4. Whether waiting list prepared for vacant posts for republished appointment notice dated-31-01-2013 bearing Memo No.-DYD/Admin-30/2012-145 published in website of Directorate of Youth Development (like as- in memo No.----1593 dated-01-12-2013 in list of final candidates**

found that, 09 was appointed in 10 posts i.e. 01 post yet not filled), if yes then attested photocopy of list.

- 5. Basis to republished appointment notice dated-31-01-2013 bearing Memo No.-DYD/Admin-30/2012-145 published in website of Directorate of Youth Development; the candidate bearing Roll No.-1649, Post-MLSS (duly took part in written & viva examination) is son of a freedom fighter. As to why he was not appointed in that post, want to reason in written form.**

02. Not getting the requested information in due time, the complainant filed appeal to Mr. Nur Mohammad, the Secretary of the Ministry of Youth & Sports & Appellate Authority (RTI), on 12-03-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 02-04-2014.

03. Agenda was discussed in the meeting of Commission dated-10-04-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-04-2014.

04. On the date of hearing complainant Mr. Manjurul Hasan Kajol & opposite party Jahanara Parvin, the Assistant Director (Publications) of Directorate of Youth Development & the Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The Assistant Director (Publications) of Directorate of Youth Development & the Designated Officer (RTI) mentioned in her statement that, on filing appeal information prayed for by the complainant sent on 24-04-2014. But cost of information was not received. The complainant if did not receive the information provided, subject to pay the cost of information to be provided again.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) provided information prayed for by the complainant. But the complainant filed complaint that he did not receive any information. Designated Officer (RTI) since ensured that subject to pay the cost of information she would provide again, so, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Assistant Director (Publications) of Directorate of Youth Development & the Designated Officer (RTI) is directed to serve the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before next 10-05-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.

3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-33/2014

Complainant: Mr. Md. Abdul Alim

Senior Reporter
Oporadh Bichitra
Modern Mansion
53 Motijheel C/A, Dhaka.

Opposite Party: Mr. K A M Majedur Rahman

Managing Director
&
Designated Officer (RTI)
Premier Bank Head Office
Banani, Dhaka.

Decision Paper

(Date-09-06-2014)

Complainant Mr. Md. Abdul Alim filed application on 19-02-2014 to Mr. K A M Majedur Rahman, the Managing Director of Premier bank, Head Office & the Designated Officer(RTI) seeking for the following information under section 8(1) of Right to Information Act-2009:-

- **There is complaint against Premier Bank to draw 133 crore 95 lac 45 thousand 327 taka & misappropriation using 388 cheques in various times from account of Md. Khalilur Rahman the Proprietor of M/S. Rumi Enterprise bearing No.-100913100000879. On the other hand claimed dues to Md. Khalilur Rahman as defaulter is amounting 20 crore, as informed. Also informed that many cases are pending to the Orthorin Adalat against him. Actual information in this regard & requesting to provide supporting documents.**

02. Not getting the requested information in due time, the complainant filed appeal to the Chairman of Premier Bank Head Office & Appellate Authority (RTI) on 23-03-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 08-04-2014.

03. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 09-06-2014.

04. On the date of hearing complainant Mr. Md. Abdul Alim & law officer for opposite party Managing Director of Premier Bank, Head Office & the Designated Officer (RTI) Mr. Md. Shahriar Kamal Chowdhury are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The law officer for opposite party Managing Director of Premier Bank, Head Office & the Designated Officer (RTI) mentioned in his statement that, since case is pending before the High Court regarding information sought for by the complainant, no information could not be provided.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that case is pending before the High Court regarding information sought for by the complainant. Since the matter is pending to the learned High Court and since the matter under section 7(k) of Right to Information Act, 2009 is Sub-judice, commission think that no order might be passed by the commission in this regard.

Decision

Since the matter is pending before the learned High Court and is Sub-judice, hence, the commission thought that no order might be passed by the commission under section 7(k) of Right to Information Act, 2009.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-34/2014

Complainant: Mr. Md. Abdul Alim

Senior Reporter

Oporadh Bichitra

Modern Mansion

53 Motijheel C/A, Dhaka.

Opposite Party:

Mr. Md. Abdul Jalil Chowdhury

Additional Managing Director

&

Designated Officer (RTI)

Mercantile Bank Head Office

Dilkusha, Dhaka.

Decision Paper

(Date-09-06-2014)

Complainant Mr. Md. Abdul Alim filed application on 19-02-2014 to Mr. Md. Abdul Jalil Chowdhury, the Additional Managing Director of Mercantile Bank, Head Office & the Designated Officer(RTI) seeking for following information under section 8(1) of Right to Information Act, 2009:-

- **There is allegation against Md. Shahidul Haque, the Director to draw 9 crore 84 lac 15 thousand taka & misappropriation being opening forged L/C in the name of M/S. Regent Corporation from Madam Bibir Hat branch of Mercantile Bank Sitakunda, Chittagong. Also there is allegation against him to draw 9 crore 55 lac 31 thousand taka & misappropriation being opening forged L/C in the name of M/S. Titas Agro Chemical Industries Ltd. from Agrabad branch of the Bank. Other Director of Bank Md. Shahabuddin Alam is M.D. of S.A Oil Mill. Against special Notice Deposit account of the organization in 54 transactions drawn a sum 120 crore, 37 lac 50 thousand. There is allegation that, though the account balance is zero, on submission of cheque given money. Director Md. Shahabuddin in this way drawn a sum 1 hundred 26 crore 72 lac taka. Actual information in this regard & requesting to serve supporting documents.**

02. Not getting the requested information in due time, the complainant filed appeal to the Chairman of Mercantile Bank Head Office & Appellate Authority (RTI) on 23-03-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 08-04-2014.

03. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 09-06-2014.

04. On the date of hearing complainant Mr. Md. Abdul Alim & attorney for opposite party Additional Managing Director of Mercantile Bank, Head Office & the Designated Officer (RTI) Mr. Md. Azizul Bashar are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the authority

delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The law officer for opposite party Designated Officer (RTI) mentioned in his statement that since the information sought for by the complainant is not specified & clear, information was not provided.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the information sought for by the complainant was not specified & clear. The commission found that if application for information filed to the Designated Officer (RTI) in specific, the complainant may receive the information he prayed for.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The complainant is directed to file application for information to the Designated Officer (RTI) in specific & file appeal to the Managing Director instead of Chairman.
2. In hearing, the Designated Officer (RTI) & Appellate Authority (RTI) are directed to appear.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-35/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Shafiuddin
E-34, West side of RAB-2
Agargaon, Dhaka-1207.

Opposite Party: Mr. Mohammad Abul Khyer
Public Relations Officer
&
Designated Officer (RTI)
Ministry of Women & Child Affairs
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-09-06-2014)

Complainant Mr. Md. Kutub Uddin filed application on 02-12-2013 to Mr. Mohammad Abul Khayer, the Public Relations Officer of the Ministry of Women & Child Affairs & the Designated Officer (RTI) seeking for following information under section 8(1) of Right to Information Act, 2009:-

- **Regarding progress of 07 recommendations mentioned in his letter (copy attached) to the Ministry of Women & Child Affairs dated-04-11-2013.**

Recommendations he produced to the Secretary, Ministry of Women & Child Affairs, Bangladesh Secretariat, Dhaka dated-04-11-2013-

- 1. Providing special facilities to the raped women as birangana and child by the government & state.**
- 2. Preparing list of miscreants & eve teasers on the basis of village areas by government & non-government intelligence, issue monthly caution notice in their names from office of Police Commissioner/SP.**
- 3. Being form eve teasing prevention committee basis to all High School, College, Village, Areas sending of monthly meeting report to the Office of SP/Police Commissioner.**
- 4. To save girls from proposal of false love & eve teasing, strengthening counseling & campaigning in school-colleges.**
- 5. Create social mot to sympathetic to raped women & child**
- 6. Special initiative in law & order meeting of Union Council to prevent eve teasing.**
- 7. In any village, area, hat, bazaar, education institute any woman or child if raped, explanation from all involved to be called. It means, who performed which social liabilities in this regard to be counted as their accountability.**

02. Not getting the requested information in due time, the complainant filed appeal to the Secretary of Ministry of Women & Child Affairs & Appellate Authority (RTI) on 26-01-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 10-04-2014.

03. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 09-06-2014.

04. On the date of hearing complainant Mr. Md. Kutub Uddin & opposite party Mr. Mohammad Abul Khayer, the Public Relations Officer of Ministry of Women & Child Affairs & the Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Mr. Mohammad Abul Khayer, the Public Relations Officer of Ministry of Women & Child Affairs & the Designated Officer (RTI) mentioned in his statement that, no application for information was received. Being received summon of commission came to know about application for information. The Secretary of the Ministry of Women & Child Affairs since now in abroad, no decision was taken to provide information to the complainant. As directed by the commission, he ensured to provide the information sought for by the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and the Designated Officer (RTI) it was found that the Designated Officer (RTI) was not informed about application for information prayed by the complainant and came to know after receiving the summon from the commission. As directed by the commission the Designated Officer (RTI) ensured to provide information sought for by the complainant, hence, the complainant seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Mr. Mohammad Abul Khayer, the Public Relations Officer of Ministry of Women & Child Affairs & the Designated Officer (RTI) is directed to provide the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before next 12-06-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.

3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-36/2014

Complainant: Mr. Md. Nowsher Ali
Village-North Horirampur
Post-Belaichandi, Police
Station-Parbatipur District-Dinajpur.

Opposite Party: Commander
16 Artillery Division
Beer Uttam Shahid Mahabub
Cantonment
Kholahati, Parbatipur, Dinajpur.

Decision Paper

(Date-09-06-2014)

Complainant Mr. Md. Nowsher Ali filed complaint to the Information Commission on 13-04-2014 to this effect that no Designated Officer (RTI) was appointed in 16 Artillery Division, Beer Uttam Shahid Mahabub Cantonment, Kholahati, Parbatipur, Dinajpur. In his complaint he mentioned that, since the Designated Officer (RTI) was not appointed under Right to Information Act-2009, he could not receive information he needed.

02. Agenda was discussed in the meeting of Commission on 19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 09-06-2014.

03. On the date of hearing complainant Mr. Md. Nowsher Ali is present. The opposite party 16 Artillery Division, Beer Uttam Shahid Mahabub Cantonment, Kholahati, Parbatipur, Dinajpur is absent. The Complainant mentioned in his statement that he filed complaint to this effect that the Designated Officer (RTI) was not appointed to 16 Artillery Division, Beer Uttam Shahid Mahabub Cantonment, Kholahati, Parbatipur, Dinajpur.

04. The Commission decided to issue letter to the Commander, Beer Uttam Shahid Mahabub Cantonment, Kholahati, Parbatipur, Dinajpur to appoint Designated Officer (RTI) under Right to Information Act-2009 & to the Ministry of Defense.

Discussion

After hearing and reviewing the submitted evidences of complainant it was found that the Designated Officer (RTI) was not appointed by the Ministry of Defense or by the Army in Beer Uttam Shahid Mahabub Cantonment. Under section 10 of Right to Information Act, 2009 provision available to appoint Designated Officer (RTI) within 60(sixty) days of passing of the Act. Since the authority concerned appointed no Designated Officer (RTI), so, the complaint can be disposed of sending letter to appoint Designated Officer.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Commander, Beer Uttam Shahid Mahabub Cantonment & the Ministry of Defense is directed to appoint Designated Officer (RTI) in Beer Uttam Shahid Mahabub Cantonment.
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-37/2014

Complainant: Mr. Ferdous Hasan

Father-Md. Hasan Ali Sheikh
JC Road, Dhanbandhi
Sirajganj.

Opposite Party: Dr. Parvez Rahim

Deputy Director (Establishment)
&
Designated Officer (RTI)
Directorate of Primary Education
Mirpur-2, Dhaka-1216.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Ferdous Hasan in respect to complaint No.-25/2014 filed by him, filed complaint against Dr. Parvez Rahim, Deputy Director (Establishment) & Designated Officer (RTI), Directorate of Primary Education, Mirpur-2, Dhaka-1216 to the Information Commission on 20-04-2014. In complaint he mentioned that, after hearing the complaint No.-25/2014; though the Information Commission directed for fourth time to serve information prayed for, the Designated Officer(RTI) did not serve yet information prayed for, the complainant filed complaint to the Information Commission praying punishment of Designated Officer (RTI) & compensation for repeated harassment to him.

02. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 09-06-2014.

03. The Complainant & Designated Officer (RTI) filed time petition. Commission approved the time petition & being fixed the date of hearing on 15-07-2014 issued summonses to the Complainant & Designated Officer (RTI).

04. On the date of hearing complainant Mr. Ferdous Hasan & opposite party Dr. Parvez Rahim, Deputy Director (Establishment) of Directorate of Primary Education & Designated Officer (RTI) are present. The Complainant mentioned in his statement that, though the Information Commission passed direction but he yet not received any information and then filed complaint to the Commission.

05. The Deputy Director (Establishment) of Directorate of Primary Education & Designated Officer(RTI) mentioned in his statement that since he stayed in abroad information could not be provided. He further said that, information related to appointment is very much secret & sensitive issue at all. Moreover, it takes time to collect tabulation sheet from BUET, the result sheet processing institution under MoU for

written & Viva examination. He brought information with him to provide the complainant & ensured to serve the complainant as direction of the commission.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) since stayed in abroad information could not be provided & information related to appointment is very much secret & sensitive issue & it takes time to collect tabulation sheet from BUET, the result sheet processing institution under MoU for written & Viva examination. The Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:
The Designated Officer (RTI) since provided information sought for by the complainant, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-38/2014

Complainant: Mr. Iqbal Hossaon Forkan
Father-Late Alhaj M A Fattah
8/G, Concord Grand
169/1, Shanti Nagar
Dhaka-1217.

Opposite Party: Mr. Muhammad Nur Alam
Deputy Secretary
&
Designated Officer (RTI)
Ministry of Liberation War
Affairs
Paribhan Bhaban
Secretariat Link Road
Dhaka-1000.

Decision Paper

(Date-09-06-2014)

Complainant Mr. Iqbal Hossaon Forkan filed application on 20-02-2014 to Mr. Muhammad Nur Alam, the Deputy Secretary of Ministry of Liberation War Affairs & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act-2009-

- **Present & permanent address, telephone/mobile nos. (if available) of War Wounded Freedom Fighter in full, who are receiving honorarium from State as affiliated under gazette notification in an updated list.**

02. Not getting the requested information in due time, the complainant filed appeal to Mr. Masud Siddiki, the Secretary of Ministry of Liberation War Affairs & Appellate Authority (RTI) on 25-03-2014. After filing the appeal, Mr. Muhammad Nur Alam, Deputy Secretary & Designated Officer (RTI) provided information to the complainant vide Memo No.-48.00.0000.002.34.186.2013/88 Dated-02-04-2014. Being dissatisfied with the information served to him, filed complaint to the Information Commission on 20-04-2014.

03. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 09-06-2014.

04. On the date of hearing complainant Mr. Iqbal Hossaon Forkan and the opposite party Mr. Muhammad Nur Alam, the Deputy Secretary of Ministry of Liberation War Affairs & Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act-2009 seeking for information mentioned in article-01. Since the

Designated Officer (RTI) delivered no information, he filed appeal to the Appellate authority (RTI). After filing appeal to the Appellate Authority (RTI) the Designated Officer (RTI) informed that information would not be served since there is no updated list of War Wounded Freedom Fighters receiving Honorarium from the State under gazette notification. Then he filed complaint to Information Commission.

05. Mr. Muhammad Nur Alam, the Deputy Secretary of Ministry of Liberation War Affairs & Designated Officer (RTI) mentioned in his statement that yet not prepared any list of War Wounded Freedom Fighters with address at present & permanent, telephone/mobile nos. receiving honorarium from State under gazette notification, hence the information prayed by the complainant could not be served. The Designated Officer (RTI) informed the commission that the information prayed by the complainant would be available in Muktijodhdhya Kallayn Trust. The complainant is directed to file application for information to Muktijodhdhya Kallayn Trust.

06. Whether any copy of War Wounded Freedom Fighters receiving honorarium from State available to the Ministry or not? In reply of such question, the Designated Officer (RTI) informed that the copy is available in the Ministry & could be provided.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the Designated Officer (RTI) could not serve information sought for by the complainant. The Designated Officer (RTI) since ensured to serve available information sought for by the complainant according to the direction, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Mr. Muhammad Nur Alam, the Deputy Secretary of Ministry of Liberation War Affairs & Designated Officer (RTI) is directed to serve the information sought for by the complainant (Gazette comprising list of War Wounded Freedom Fighters receiving honorarium from State) subject to pay the cost of information on or before 16-06-2014.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Rights to Information Act-2009 and under section-8 of Right to Information (regarding obtain information) Regulations-2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-39/2014

Complainant: Mr. Md. Nazmus Sakib
Father-Faridul Alam
49/1, West Hazipara
Ramna Police Station, Dhaka.

Opposite Party: Mr. Humayun Kabir
Director (Administration)
&
Designated Officer (RTI)
National Human Rights Commission
Gulfesha Plaza
8, Shahid Journalist Selina Parvin Sarak
Moghbar, Dhaka-1217.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Md. Nazmus Sakib in respect to complaint No.-96/2013 filed by him, filed complaint against Mr. Humayun Kabir, Director (Administration) & Designated Officer (RTI), National Human Rights Commission, Gulfesha Plaza, 8, Shahid Journalist Selina Parvin Sarak, Moghbazar, Dhaka-1217 to the Information Commission on 22-04-2014. In his complaint he mentioned that after hearing the complaint No.-96/2013 though the Information Commission directed to serve information prayed for, the Designated Officer(RTI) collecting additional money as cost of information, information served are confusing & incomplete & did not mention the information served in reply of which requirement. The complainant filed complaint to the Information Commission praying punishment of Designated Officer (RTI) due to serve no information in proper manner & compensate penalty.

02. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10-06-2014.

03. The Designated Officer (RTI) filed time petition. Commission approved the time petition & fixed the date of hearing on 15-07-2014 and issued summonses to the complainant & Designated Officer (RTI).

04. On the date of hearing complainant Mr. Md. Nazmus Sakib, Father-Faridul Alam, 49/1, West Hazipara, Ramna Police Station, Dhaka is present. But the opposite party Mr. Humayun Kabir, Director (Administration) of National Human Rights Commission & Designated Officer (RTI) is absent filing time petition showing his business in audit works of budget for the financial year 2009-2014 of National Human Rights Commission. The Complainant mentioned in his statement that in respect to direction of Information Commission, the information served by the Designated Officer are incomplete & did not mention the information served in reply of which requirement.

Discussion

After hearing and reviewing the submitted evidences of complainant it was found that the information served by the Designated Officer (RTI) are not clear & specified. The commission thought it would be proper to pass direction to the Designated Officer (RTI) to serve information prayed by the complainant in clear & specified manner.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Director (Administration) of National Human Rights Commission & Designated Officer (RTI) is directed to provide information to the complainant in clear & specific manner.
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-40/2014

Complainant: **Mr. Iqbal Hossain Forkan**

Father-Late Alhaj M A Fattah
8/G, Concord Grand
169/1, Shanti Nagar
Dhaka-1217.

Opposite Party: **1. Mrs. Rikta Dutta**

Deputy Registrar (Coordination &
Evaluation)
&
Designated Officer (RTI)
Department of Cooperatives
Somobya Bhaban
F 10/A-B, Agargaon Civic Sector
Sher-E-Bangla Nagar, Dhaka-1207.

2. Mr. Md. Naimur Rahman

Joint Registrar (Bank & Insurance)
& Third Party
Department of Cooperatives, Dhaka.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Iqbal Hossain Forkan filed application on 19-11-2013 to Mrs. Rikta Dutta, the Deputy Registrar (Coordination & Evaluation) & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

1. **Attested copy of resolution of all general meetings & special general meetings of Bangladesh Cooperative Life Insurance Ltd. held yet from establishment with date of meetings.**
2. **After establishment of Bangladesh Cooperative Life Insurance Ltd. whether any election held to form of Management Committee under Cooperatives Rules & Regulations up to till date or not? If, yes then date of election & list of elected committee in separate list.**
3. **After establishment of Bangladesh Cooperative Life Insurance Ltd. if no any election held to form of Management Committee up to till date, need to know the information as to why the election was not held yet.**
4. **Since there is no election, under which section & authority of Cooperatives Rules & Regulations, the adhoc/interim committee is managing the institution, need to know & list of adhoc/interim committee with duration in separate.**
5. **Was ever Bangladesh Cooperative Life Insurance Ltd. Put in liquidation process or not? If, yes then order of liquidation & copy of withheld order with reason.**

6. **Need to know updated information regarding Bangladesh Cooperative Life Insurance Ltd. If now under liquidation order, need attested copy of liquidation & process of liquidation.**
7. **After establishment of Bangladesh Cooperative Life Insurance Ltd. if any audit held, then attested copy of all audit report.**
8. **Name, address, share quantity & amount of shares of Bangladesh Cooperative Life Insurance Ltd. in a list.**
9. **How much was the paid up capital of Bangladesh Cooperative Life Insurance Ltd.? Amount of share capital deposited in which authority & under which process & how much is the present value of share capital? Need to know.**

02. On receipt of application for information, the Designated Officer (RTI) Rikta Dutta, the Deputy Registrar (Bank & Insurance) requested to Deputy Registrar (Bank & Insurance), Department of Cooperatives, Dhaka to provide the requested information within 05(five) working days. In this respect the Deputy Registrar (Bank & Insurance) informed that under sections 7(d), 7(e)(i), 7(r) of Right to Information Act, 2009 there is no scope to serve information. The matter was informed to the complainant by a letter issued by the Designated Officer (RTI). Then not getting the requested information in due time, the complainant filed appeal to the Secretary of Ministry of Local Government, Rural Development & Cooperatives & Appellate Authority (RTI) on 09-02-2014. After filing the appeal, Appellate Authority (RTI) take hearing of matter on 30-03-2014. After hearing the decision of Department of Cooperatives remained uphold. Being dissatisfied with decision of Appellate Authority (RTI) the complainant filed complaint to the Information Commission on 23-04-2014.

03. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10-06-2014.

04. On the date of hearing complainant remains absent filing time petition but the Designated Officer (RTI) is present. The commission approved time petition & fixed the date of hearing on 15-07-2014 issued summonses to the Complainant & Designated Officer (RTI).

05. On the date of hearing complainant Mr. Iqbal Hossain Forkan and the opposite party Rikta Dutta, the Deputy Registrar (Coordination & Evaluation) of Department of Cooperatives & Designated Officer (RTI) & Mr. Md. Naimur Rahman, the Deputy Registrar (Bank & Insurance) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the information prayed for was not served, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

06. The Deputy Registrar (Coordination & Evaluation) & Designated Officer (RTI) mentioned in her statement that she sent letter to concerned department to serve information. Then the department informed that sections 7(d), 7(e)(i), 7(r) of Rights to Information Act, 2009 there is no scope to serve information. The Designated Officer (RTI) informed more that the information relevant to Bangladesh Cooperative Life Insurance is not available to her. Information is related to Bank & Insurance Division of concerned department. Since the related department did not provide no information, he could not provide information prayed for by the complainant. Mr. Md. Naimur Rahman, the Deputy Registrar (Bank &

Insurance) mentioned in his statement that the complainant since is not a member of cooperatives & since seek advance information regarding policy there is no scope to serve information under section 7 of Right to Information Act, 2009.

Discussion

After hearing and reviewing the submitted evidences of both the complainant, Designated Officer (RTI) & third party it was found that the information prayed by the complainant is not advance information & there is no provision to get any information need to be the member of committee, hence under Right to Information Act, 2009 information prayed for can be provided. The Designated Officer (RTI) since ensured to provide information sought for by the complainant as directed by the Information Commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Joint Registrar (Bank & Insurance) & third party Mr. Md. Naimur Rahman is directed to provide information to Mrs. Rikta Dutta, the Deputy Registrar (Coordination & Evaluation) & Designated Officer (RTI) immediately as prayed for.
2. The Deputy Registrar (Coordination & Evaluation) & Designated Officer (RTI) is directed to provide the information sought for by the complainant subject to pay the cost of information on or before 14-08-2014.
3. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-41/2014

Complainant: Mr. Asim Das
Father-Kadam Das
Village-Ataroi, Post-Jeyala
Police Station-Tala
District-Satkhira.

Opposite Party: Chairman
&
Appellate Authority (RTI)
14 Fingri UP Sadar
Satkhira.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Asim Das filed application by registered post on 25-02-2014 to Mr. A. Hamid, Secretary & Designated Officer (RTI), 14 Fingri UP, Sadar, Satkhira seeking for the following information under section 8(1) of Right to Information Act-2009-

- **Information regarding quantity of deep tube well to be allotted to No.-14 Fingri Union in the year 2014.**
- **Information regarding manpower appointed in ongoing 40 days' program in the year 2014.**

02. Not getting the requested information in due time, the complainant filed appeal to Mr. Mohadev Ghosh, the Chairman & Appellate Authority (RTI), No.-14 Fingri UP, Sadar Satkhira on 23-03-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 24-04-2014.

03. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10-06-2014.

04. On the date of hearing complainant Mr. Asim Das & opposite party Mr. A. Hamid, Secretary & Designated Officer(RTI), 14 Fingri UP, Sadar, Satkhira are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The Secretary of UP & Designated Officer (RTI), 14 Fingri UP, Sadar, Satkhira mentioned in his statement that, he was suspended provisionally. Since the summon issued to his name, he appeared in the Commission. He mentioned more that he would request the Chairman to serve the information prayed for.

06. Since the UP Secretary & Designated Officer (RTI) is suspended provisionally, in view of more hearing on complaint in presence of UP Chairman & Appellate Authority (RTI) fixing the date of hearing on 15-07-2014 issued summonses to the complainant & Appellate Authority.

07. On the date of hearing complainant & Designated Officer (RTI) is absent. The complainant by sending a letter to the Information Commission informed that he received information prayed for. Since he has no more complaint in this regard he requested to settle the issue. The Appellate Authority (RTI) & UP Chairman by sending a letter to the Information Commission informed that he served information prayed for & requested to settle the issue.

Discussion

After hearing and reviewing the submitted evidences of both the complainant & Designated Officer (RTI) in written form it was found that the information sought for by the complainant is served. The complainant received information he prayed for & since he requested to settle the issue of complaint, the complaint seems to be disposable.

Decision

Since the complainant received information he prayed for & requested to settle the issue of complaint, hence the complaint is disposed of with the order of revoking the complaint.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-42/2014

Complainant: Mr. Subrata Kumar Mondal
Father-Golok Mondal
Faijullapur
Post-Brahmarajpur
Police Station+District-Satkhira.

Opposite Party: Chairman
&
Appellate Authority (RTI)
14 Fingri UP
Sadar, Satkhira.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Subrata Kumar Mondal filed application by registered post on 25-02-2014 to Mr. A. Hamid, Secretary & Designated Officer (RTI), 14 Fingri UP, Sadar, Satkhira seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Information regarding quantity of blanket distributed in No.-14 Fingri Union in the year 2014 & list of names.**
- **Information regarding policy on which the blanket distributed.**

Not getting the requested information in due time, the complainant filed appeal to Mr. Mohadev Ghosh, the Chairman & Appellate Authority (RTI), No.-14 Fingri UP, Sadar Satkhira on 23-03-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 24-04-2014.

02. Agenda was discussed in the meeting of Commission dated-19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10-06-2014.

04. On the date of hearing complainant Mr. Subrata Kumar Mondal & opposite party Mr. A. Hamid, Secretary & Designated Officer (RTI), 14 Fingri UP, Sadar, Satkhira are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The Secretary of UP & Designated Officer nally. Since the summon issued to his name, so, he appeared in the Commission. He mentioned more that he would request the Chairman to serve the information prayed for.

06. Since the UP Secretary & Designated Officer (RTI) is suspended provisionally, in view of more hearing on complaint in presence of UP Chairman & Appellate Authority (RTI) fixing the date of hearing on 15-07-2014 issued summonses to the complainant & Appellate Authority.

07. On the date of hearing complainant & Designated Officer (RTI) is absent. The complainant by sending a letter to the Information Commission informed that he received information prayed for. Since he has no more complaint in this regard he requested to settle the issue. The Appellate Authority (RTI) & UP Chairman by sending a letter to the Information Commission informed that he served information prayed for & requested to settle the issue.

Discussion

After hearing and reviewing the submitted evidences of both the complainant & Designated Officer (RTI) in written form it was found that the information sought for by the complainant is served. The complainant received information he prayed for & since requested to settle the issue of complaint, the complaint seems to be disposable.

Decision

Since the complainant received information he prayed for & requested to settle the issue of complaint, hence, the complaint is disposed of with the order of revoking the complaint.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-43/2014

Complainant: Mr. Ferdous Hasan

Father-Md. Hasan Ali Sheikh
JC Road, Dhanbandhi
Sirajganj.

Opposite Party: Mr. Mohammad Shahiduzzaman

Education Officer
&
Designated Officer (RTI)
Upazila Education Office
Sadar, Sirajganj.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Ferdous Hasan filed application on 06-01-2014 to Mr. Mohammad Shahiduzzaman, Sirajganj Sadar Upozila Education Officer & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Names, Roll Number, Total obtained number, Grade & subject wise obtained numbers i.e. including numbers of student subject wise basis to name of institution took part in Primary Education Completion Examination or PEC Examination of year 2013.**

02. Not getting the requested information in due time, the complainant filed appeal to Begum Badruzzoha, Sirajganj District Primary Education Officer & Appellate Authority (RTI) on 18-02-2014. On hearing of Appeal, the Appellate Authority dismissed the appeal. The Appellate Authority (RTI) since dismissed the appeal, the complainant filed complaint to the Information Commission on 27-04-2014.

03. Agenda was discussed in the meeting of Commission on 19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10-06-2014.

04. On the date of hearing complainant being file time petition remain absent but the Designated Officer (RTI) & learned attorney for him are present. Time petition was approved by the Commission & being fixed date of hearing on 15-07-2014 issued summonses to complainant & Designated Officer (RTI).

05. On the date of hearing, complainant Mr. Ferdous Hasan & Mr. Mohammad Shahiduzzaman, Sirajganj Sadar Upazila Education Officer & the Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI)

delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

06. The Sirajganj Sadar Uazila Education Officer & the Designated Officer (RTI) mentioned in his statement that information available to his office was served to the complainant. Subject wise obtained marks are stored centrally. He mentioned that the complainant can collect the rest information from the Department of Primary Education.

Discussion

After hearing and reviewing the submitted evidences of complainant & the Designated Officer (RTI) it was found that the Designated Officer (RTI) served information to the complainant available to his office. Subject wise obtained marks are stored centrally. Directing the complainant to collect rest information from concerned department, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The complainant is directed to collect subject wise obtained marks from concerned department.
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-44/2014

Complainant: Mr. Md. Mahbubur Rahman
Father-Late Abdul Jabbar Sarder
Village & Post-Atipara
Ujirpur, Barisal.

Opposite Party: Mr. Khondker Majibur Rahman
Uaozila Education Officer (Primary)
&
Designated Officer (RTI)
Office of the Upazila Education Officer
Ujirpur, Barisal.

Decision Paper

(Date-10-06-2014)

Complainant Mr. Md. Mahbubur Rahman filed application by registered post on 20-02-2014 to Mr. Khondaker Mujibur Rahman, the Upazila Education Officer of Ujirpur Upazila under District-Barisal & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act-2009-

- 1. Full furnished list (Names, Addresses, mobile numbers) of Executive/Managing Committee of No.-72 Atipara Government Primary School.**
- 2. Rules & regulations for election of Managing Committee of Government Primary School & eligibility to be candidate in various posts & copy of rules & regulations.**
- 3. Name of donor member of present managing committee of said school, attested copy of deed of donated land area (including mobile number).**
- 4. Copy of full furnished list of previous committee.**

02. Not getting the requested information in due time, the complainant filed appeal to District Primary Education Officer, Barisal & Appellate Authority (RTI) on 06-04-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 30-04-2014.

03. Agenda was discussed in the meeting of Commission on 19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10-06-2014.

04. On the date of hearing complainant Mr. Md. Mahbubur Rahman & opposite party Mr. Khondaker Mujibur Rahman, the Upazila Education Officer of Ujirpur Upazila under District-Barisal & the Designated Officer (RTI) and learned attorney to assist him Mr. Md. Masum Billah are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the authority delivered no

information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The learned attorney for Designated Officer (RTI) mentioned in his statement that no application for information was received & hence no information was provided. The Designated Officer (RTI) ensured to provide information to the complainant as directed by the Commission.

Discussion

After hearing and reviewing the submitted evidences of complainant & the Designated Officer (RTI) it was found that the Designated Officer (RTI) since received no application for information; no information was provided. The Designated Officer (RTI) since ensured to serve information to the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Mr. Khondaker Mujibur Rahman, the Upazila Education Officer of Ujirpur Upazila under District-Barisal & the Designated Officer (RTI) is directed to provide the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 12-06-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-45/2014

Complainant: Mr. Abul Kashem Al Asad (Foisal)
Father-Late Abdus Sobhan
393, Jollarpar (Main Road)
Post & Police Station-Sadar Sylhet
District-Sylhet 3100

Opposite Party: Mr. Nurul Alam
Assistant Waqf Administrator
&
Designated Officer (RTI)
Waqf Bhaban, 4, New Eskaton Road
Dhaka-1000.

Decision Paper

(Date-10-06-2014)

Complainant Mr. Abul Kashem Al Asad (Foisal) filed complaint to the Information Commission against Mr. Nurul Alam, the Assistant Waqf Administrator & Designated Officer (RTI) on 30-04-2014. In the complaint he mentioned that the information served by Mr. Nurul Alam, the Designated Officer on application for information was not attested duly. He filed complaint for remedy under Right to Information Act.

02. Agenda was discussed in the meeting of Commission on 19-05-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10-06-2014.

03. On the date of hearing complainant Mr. Abul Kashem Al Asad & opposite party Mr. Nurul Alam, the Assistant Waqf Administrator of Bangladesh Waqf Administration & Designated Officer (RTI) are present. The Complainant mentioned in his statement that the information served by Mr. Nurul Alam, the Designated Officer on application for information was not attested duly. He filed complaint for remedy under Right to Information Act.

04. The Assistant Waqf Administrator of Bangladesh Waqf Administration & Designated Officer (RTI) in his statement mentioned that information was provided to the complainant but erroneously was not attested. He has brought the attested information with him and would provide the same to the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) served information to the complainant but was not attested duly. The Designated Officer (RTI) since ensured to serve the information sought for by the complainant after attestation, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Mr. Md. Nurul Alam, the Assistant Waqf Administrator of Bangladesh Waqf Administration & Designated Officer (RTI) is directed to provide information after attestation subject to pay the cost of information on or before 10-06-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Sadeka Halim)
Information Commissioner

Signed
(Mohammad Abu Taher)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-46/2014

Complainant: Mr. Md. Motiur Rahman
Father-Nurul Islam
Village-No-1 Kalma
Post- Dairy Farm
Police Station-Savar
District-Dhaka.

Opposite Party: Mr. Md. Mahbubur Rahman
Assistant Director (Administration)
&
Designated Officer (RTI)
Central Cattle Breeding Station & Dairy Farm
Savar, Dhaka.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Md. Motiur Rahman filed application on 02-03-2014 to the Designated Officer(RTI), Central Dairy Reproduction Dairy Farm Savar, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009:

1. a) How much project presently is on going under Central Cattle Breeding Station & Dairy Farm Savar, Dhaka under Savar Upazila? Names of Projects & duration.
b) Year basis amount of grants in ongoing projects from starting to yet is how much?
c) After starting of ongoing projects particulars of head wise grants up to current financial year or the accounts.
d) In expenses of fund; whether any tender was called or not? If, yes, then published in which newspapers? Names of newspapers including date of publications & photocopy of published tender notice. Names of contractor received work order being take part in tender, address, name of owner & mobile numbers.
e) Duration of construction & repairing & accounts of expenditures, names of contractor & name of owner, address, contact address with easy way to communicate in details.
f) Which machineries purchased & structures constructed under ARMP-2 Project & now are going on? Those machineries, structure & present position of the project.
2. a) Existing stored feeds in stores & names of contractors, location, name of owners & mobile phone numbers.
b) How much oxen & cows now available whether small or adult in Central Dairy Reproduction Dairy Farm and per day feed for each cow is how much?

c) How much liters of milk is the capacity of Central Dairy Reproduction Dairy Farm per day How much liters of milk supplied in which organizations. Names of organizations & mobile phone numbers.

d) How much are the appointed veterinary doctors in Central Cattle Breeding Station & Dairy Farm & nurses appointed?

e) Allotments of medicine in present year & description and head wise uses of medicines or the accounts.

02. Not getting information in due time, the complainant filed appeal on 23-03-2014. After filing the appeal, being found no remedy; the complainant filed complaint to the Information Commission on 05-05-2014.

03. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 15-07-2014.

04. On the date of hearing, complainant Mr. Md. Motiur Rahman & opposite party Mr. Md. Mahbubur Rahman, the Designated Officer (RTI) of Central Cattle Breeding Station & Dairy Farm, Savar, Dhaka are present. The complainant mentioned in his statement that, he received the information prayed for. Since he has no objection, he requested to settled the complaint.

05. The Designated Officer (RTI) of Central Cattle Breeding Station & Dairy Farm, Savar mentioned in his statement that he served information prayed for & requested to settled the complaint.

Discussion

After hearing and reviewing the submitted evidences submitted by the complainant in written form it was noticed that the Designated Officer (RTI) served information prayed by the complainant. The complainant received information prayed for & since requested to settle the complaint, the complaint seems to be disposable.

Decision

Since the complainant received information prayed for & requested to settle the complaint, so, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-47/2014

Complainant: Mr. Delawar Bin Siraj
2/2 R K Mission Road
Dhaka-1203.

Opposite Party: Mr. S M Anisuzzaman
Assistant General Manager
&
Designated Officer (RTI)
Basic Bank Ltd.
Head Office
Sena kallyan Bhaban
4th Floor, Motijheel C/A
Dhaka-1000.

Decision Paper

(Date-15-07-2014)

Complainant Mr. Delawar Bin Siraj filed application on 02-03-2014 to Mr. S M Anisuzzaman the Assistant General Manager of Basic Bank Ltd., Head Office & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- a) **How much money/fund provided to which institutions/individuals from CSR Fund in last 5 years, written statement with names & addresses.**
- b) **Sanctioned Display Advertisement more than Tk. 10,000/- from Public Relations Department to which organizations in last 5 years.**
- c) **After joining of Mr. Ruhul Alam as the Deputy Managing Director of Basic Bank promoted how many times. Date of joining & promotions & written statement mentioning eligibility.**
- d) **Typed statement of rules & regulations of the Board comprising recruitment policy of Basic Bank, promotion & power of the Board in this regard.**
- e) **How much new branches opened in last five years & statement of expenses in each branch.**

02. Not getting the information in due time, the complainant filed appeal to Mr. Md. Kazi Faqrul Islam, the Managing Director of Basic Bank Ltd., Head Office & Appellate Authority (RTI) on 01-04-2014 by GEP Post. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 05-05-2014.

03. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 15-07-2014.

04. On the date of hearing complainant Mr. Delawar Bin Siraj and the opposite party Mr. S M Anisuzzaman the Assistant General Manager of Basic Bank Ltd., Head Office & Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI)

under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to the Information Commission.

05. Mr. S M Anisuzzaman the Assistant General Manager of Basic Bank Ltd., Head Office & Designated Officer (RTI) mentioned in his statement that, the providing information of long 5 years is needed sufficient time. He requested the Information Commission to consider this factor.

06. Out of information prayed by the complainant, information of serial No.-a & b to be served within 06 months and information of serial No.- c & d completely & out of information prayed in serial No.-e regarding opening new branches in last 5 years. Information prayed in serial No.-e in complete might be prayed to concerned department, the commission opined.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the providing information of long 5 years is needed sufficient time by the Designated Officer (RTI). Out of information prayed by the complainant in serial No.-a & b to be served within 06 months and information of serial No.- c & d completely & out of information prayed in serial No.-e regarding opening new branches in last 5 years might be served. Information prayed in serial No.-e in complete might be prayed to concerned department, the commission opined. The Designated Officer (RTI) since ensured to serve the information sought for by the complainant as directed by the Information Commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Mr. S M Anisuzzaman the Assistant General Manager of Basic Bank Ltd., Head Office & Designated Officer (RTI) is directed to provide information as per direction of article-06 subject to pay the cost of information on or before 07-08-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act-2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Building (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-E-Bangla Nagar, Dhaka-1207

Complaint No-48/2014

Complainant: Mr. Delawar Bin Siraj
2/2 R K Mission Road
Dhaka-1203.

Opposite Party: Mr. Md. Mostafizur Rahman
Deputy General Manager
&
Designated Officer (RTI)
Milk Vita, 139-140
Tejgaon I/A, Dhaka-1208.

Decision Paper
(Date-15-07-2014)

Complainant Mr. Delawar Bin Siraj filed repeated complaint to the Information Commission against Mr. Md. Mostafizur Rahman, the Deputy General Manager of Milk Vita & Designated Officer (RTI) on 05-05-2014 with the reference to the complaints No.-29/2013, 79/2013 & 115/2013. In complaint he mentioned that, on hearing of complaint No-115/2013; the Commission though directed for the third time to provide information as prayed for, the information served by the Designated Officer is incomplete & confusing & some information was not provided, hence the complainant filed complaint to the Information Commission seeking for remedy with penalty to the Designated Officer (RTI).

02. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 15-07-2014.

03. On the date of hearing complainant Mr. Delawar Bin Siraj and the opposite party Mr. Md. Mostafizur Rahman, the Deputy General Manager of Milk Vita & Designated Officer (RTI) and his attorney Molla Kismat are present. The Complainant mentioned in his statement that, the information served by the Designated Officer is incomplete & confusing. He filed complaint seeking for remedy under Right to Information Act.

04. The Deputy General Manager of Milk Vita & Designated Officer (RTI) mentioned in his statement that, the information prayed for was served to the complainant. The complainant filed application for information regarding the Chairman of Management Committee, Mr. Hasib Khan Tarun is the Chairman of that committee, there is no designated post of Chairman, no miscellaneous expenditure, the information relevant to vehicle was served is used by Hasib Khan Tarun, information regarding foreign tour is correct. The learned attorney mentioned in his statement that, information served as per direction of settled complaint. One cannot file complaint repeatedly for a settled matter. If file new application seeking for specified information, information might be served.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the Designated Officer (RTI) served information to the complainant by this time. In the statement of the complainant it was found that the information served to him was illegible in some part. The Designated Officer since ensured to serve information prayed by the complainant and as direction of the Commission in specific & clear manner, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Deputy General Manager of Milk Vita & Designated Officer (RTI) is directed to provide information prayed by the complainant and as direction of the Commission in specific & clear manner subject to pay the cost of information on or before 14-08-2014.
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-49/2014

Complainant: Mr. Md. Tarikul Islam Linkon
Father-Md. Abdul Majid Mia
62/3/B, South Mugdapara
Dhaka.

Opposite Party: Mr. Nazrul Islam Misha
Public Relations Officer
&
Designated Officer (RTI)
BIWTC, 5, Dilkusha
Motijheel, Dhaka.

Decision Paper (Date-15-07-2014)

Complainant Mr. Md. Tarikul Islam Linkon filed repeated complaint to the Information Commission against Mr. Nazrul Islam Misha, the Public Relations Officer & Designated Officer (RTI) of BIWTC on 08-05-2014 & 29-05-2014 with the reference to the complaint No-22/2014. In the complaint he mentioned that, on hearing of complaint No-22/2014; the Commission though directed to serve information as prayed for, the information served by the Designated Officer (RTI) is harassing & confusing & not adjusted to the information prayed for. Hence the complainant filed complaint to the Information Commission seeking for remedy with punishment to the Designated Officer (RTI) and action to provide information prayed for.

02. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 15-07-2014.

03. On the date of hearing complainant Mr. Md. Tarikul Islam Linkon and the opposite party Mr. Nazrul Islam Misha, the Public Relations Officer & Designated Officer (RTI) of BIWTC are present. The Complainant mentioned in his statement that, the information served by the Designated Officer (RTI) are harassing & confusing & not adjusted to the information prayed for. He filed complaint seeking for remedy under Right to Information Act.

04. The Public Relations Officer & Designated Officer (RTI) of BIWTC mentioned in his statement that, the information prayed for was served to the complainant. Of course the information prayed by the complainant since was not specified & clear, there was some problem to serve information.

05. In reply of question asked by the commission, which information in specific are sought for, the complainant said that, he needed the copy of 04 report of Departmental Investigation, Report of Audit Section & reason of deduction of amount 45000/- only & the Designated Officer (RTI) ensured to provide the information prayed for.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the Designated Officer (RTI) served information to the complainant was no clear & specified, since the application for information also was not specified & clear. The Designated Officer since ensured to serve information prayed by the complainant copy of 04 report of Departmental Investigation, Report of Audit Section & reason of deduction of amount 45000/- only, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Public Relations Officer & Designated Officer (RTI) of BIWTC is directed to serve information prayed by the complainant and as direction of the Commission on or before 24-07-2014.
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-50/2014

Complainant: Mr. Md. Abdul Haque
Father-Hazi Md. Abdul Hakim
Harua East Fishery Road
Kishoreganj.

Opposite Party: Deputy General Manager
&
Designated Officer (RTI)
Palli Bidyut Office, Katiadi
Kishoreganj.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Md. Abdul Haque filed application by registered post on 13-01-2014 to Mr. Monir Uddin Majumder, DGM & Designated Officer (RTI), Palli Bidyut Office, Katiadi, Kishoreganj seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **The electric service line to be constructed in Jabor Bicha from north side pillar of graveyard between Village & Mouza Nanosree under Police Station-Nikoli, District-Kishoreganj to east side of river, photocopy of that electric service line & how much pillar to be set & distance from one to another pillar is how much feet. Pipe of shallow machine set in the Shan Bari, whether line would be set on that line of pipe or not? If not, then any pillar to be sanctioned to connect the shallow machine or not? Whether any application filed for get electricity connection in Hakimia Jame Mosque under Bonogram Modhyapara Nondipur Nanosree under the Police Station-Katiadi or not? If yes, then the photocopy. Whether any order passed to prepare map for connection in that mosque or not? Any Mouza if prepared or passed order, then photocopy of map and order. How much pillar sanctioned & at the time of set of electricity service line; received amount and issued receipt of Tk. 10, but as to why 10 houses including Bonogram Nondipur Nanosree Bari & north & south side was not connected in electricity service line. Would it be connected now or not?**

02. Not getting the information in due time, the complainant filed appeal to Mr. Md. Abdul Warid, GM & Appellate Authority (RTI), Palli Bidyut Samitee, Kishoreganj on 19-02-2014 by registered Post. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 11-05-2014.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mr. Md. Abdul Haque and the opposite party Mr. Monir Uddin Majumder, General Manager (Current Charge) of Palli Bidyut Samitee, Kishoreganj & Designated Officer(RTI) are present. The Complainant mentioned in his statement that he filed application to the

Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Mr. Monir Uddin Majumder, the General Manager (Current Charge) of Palli Bidyut Samitee, Kishoreganj & Designated Officer (RTI) mentioned in his statement that, he received application for information when he was posted as General Manager of Katiadi Polli Bidyut Office, since the information prayed by the complainant was not available in office, sent letter to concerned section. Since the information regarding construction of electricity line of Palli Bidyut treated as advance information was not served. Advance information if served can be hindered the government working progress, can be held any untoward incident. The complainant using the advance information can try to get undue advantages. On completion of setting the electricity line, he ensured to serve information prayed for.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the information prayed by the complainant is advance information those would not be served under Right to Information Act, 2009. The Designated Officer since ensured to serve information prayed by the complainant on completion of setting the electricity line, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

As the information prayed by the complainant is advance information those would not be served under Right to Information Act, 2009, hence the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-51/2014

Complainant: Mst. Dulali Begum

Father-Late Basir Uddin Master
Village-Char Krishnapur
Ward No.-08, Post Office-Moghalbasha
Police Station & District-Kurigram.

Opposite Party: Mr. Md. Kawsar Ali

Secretary
&
Designated Officer (RTI)
No.-7, Moghalbasha Union
Council Office
Kurigram Sadar, Kurigram

Decision Paper

(Date-16-07-2014)

Complainant Mst. Dulali Begum filed application on 16-01-2014 to Mr. Md. Kawsar Ali, Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. Bill vouchers of projects implemented by the Moghalbasha Union Council in financial years 2011-2012, 2012-2013 (LGSP-2), resolution of open ward meeting, list of project implementation committee.**
- 2. List of Wage & Non-Wage Projects under Employment Program for Vulnerable implemented by the Moghalbasha Union Council in financial years 2011-2012 to 2013-2014, list of project implementation committee & list of beneficiaries.**
- 3. List of distribution of warm clothes Projects implemented by the Moghalbasha Union Council in financial years 2011-2012 to 2013-2014.**
- 4. List of ADP Projects implemented by the Moghalbasha Union Council in financial years 2011-2012 to 2013-2014 and list of implementation committee.**
- 5. List of TR, Kabikha (Food for works) implemented by the Moghalbasha Union Council in financial years 2011-2012 to 2013-2014, list of implementation committee & list of bill vouchers.**
- 6. List of projects under 1% implemented by the Moghalbasha Union Council, list of implementation committee & list of bill vouchers.**
- 7. Notice & resolution of monthly meeting organized by the Moghalbasha Union Council from August/2011 to December/2013.**

02. Not getting the required information in due time, the complainant filed appeal to Mr. Md. Enamul Haque, Chairman & Appellate Authority (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram on 12-02-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 14-05-2014. In the same subject matter filed complaint to the Information Commission through email.

03. Agenda was discussed in the meeting of Commission dated-2-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mst. Dulali Begum & opposite party Mr. Md. Kawsar Ali, Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram both are present. The Complainant mentioned in her statement that she filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, she filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, she filed complaint to Information Commission.

05. The Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram mentioned in his statement that, he came to know about filing of application for information after getting summon of Information Commission. Being informed to the UP Chairman regarding delivery of information, he directed to serve information subject to pay cost of information. Then the complainant directed orally to pay cost of information but since she did not pay the cost of information, information she sought for was not provided. Information prayed by the complainant is ready to provide, ensured to serve on payment of cost of information.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the Designated Officer (RTI) directed the complainant to pay cost of information orally. Since the complainant did not pay the cost of information, the Designated Officer (RTI) provided no information. Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram is directed to provide the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 24-07-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.

3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-52/2014

Complainant: Mr. Md. Abdul Karim
Bismillah Homoeo Hall
Brahman Bazar
Post Code No.-Kajaldara-3234
Kulaura, Moulvibazar.

Opposite Party: Mr. Md. Abdul Bari
Secretary
&
Designated Officer (RTI)
No.-5
Brahman Bazar Union Council
Kulaura, Moulvibazar.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Md. Abdul Karim filed application on 16-03-2014 to Mr. Md. Abdul Bari, Secretary & Designated Officer (RTI), No.-05 Brahman Bazar Union Council, Kulaura, Moulvibazar seeking for the following information under section 8(1) of Right to Information Act, 2009-

1. **How far is the border of village Gurabhui from UP No.-05?**
2. **What is the name of Member of Gurabhui attached Ward No.-5?**
3. **Ainachhara Village or place is how far on west of Gurabhui?**
4. **Whether any kancha road, paddy land available named Kajaldhara Rubber Garden recorded in the west of Council or whether any rubber garden exists named Kajaldhara rubber garden under UP No.-5, if yes then copy of list of names of rubber garden under Kulaura Police Station.**
5. **Whether any person available named Bashir Kha, Father-Late Modris Kha with age of 25 years amongst 987 male voters of Gurabhui village?**
6. **How far is Brahman Bazar on east of the Council?**
7. **Which village is just on north side of Gurabhui village?**
8. **Name of post office of Gurabhui village & this council is Kajaldhara, is it right?**
9. **Whether any place or village recorded named Gusaitila under Gurabhui village?**

02. Not getting the requested information in due time the complainant filed appeal to Chairman & Appellate Authority (RTI), No.-05 Brahman Bazar Union Council, Kulaura, Moulvibazar on 21-04-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on last 19-05-2014.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mr. Md. Abdul Karim & opposite party Mr. Md. Abdul Bari, Secretary & Designated Officer (RTI), No.-05 Brahman Bazar Union Council, Kulaura, Moulvibazar both are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The Secretary & Designated Officer (RTI), No.-05 Brahman Bazar Union Council, Kulaura, Moulvibazar mentioned in his statement that, in his office only information of serial No.-2&8 are available. The complainant has been informed it orally. The Designated Officer (RTI) ensured to provide available information out of total he prayed for in written form.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) informed complainant regarding information available to his office orally but did not provide in written form. Designated Officer (RTI) since ensured to serve information sought for by the complainant in written form, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Secretary & Designated Officer(RTI), No.-05 Brahman Bazar Union Council, Kulaura, Moulvibazar is directed to provide the information available to his office & show cause as to why remaining cannot be provided sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 24-07-2014.
2. Designated Office r(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-53/2014

Complainant: Mr. Md. Motiur Rahman
Father-Md. Nurul Islam
Village-No.-1 Kalma
Post-Dairy Farm
Police Station-Savar
District-Dhaka.

Opposite Party: Mr. Md. Shahjahan Kabir
Deputy General Manager
&
Designated Officer (RTI)
Ashulia Zonal Office
Palli Bidyut Samity-1
Savar, Dhaka.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Md. Motiur Rahman filed application on 24-03-2014 to Deputy General Manager & Designated Officer (RTI), Ashulia Zonal Office Palli Bidyut Samity-1, Savar, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009-

- a) **Within the year 2012-2014 how much megawatt of power under Ashulia Zonal Office Palli Bidyut Samity-1 was allotted?**
- b) **Allotted power distributed in which lines in which amount & continued? Detailed descriptions including areas.**
- c) **Total customer application year-wise within year 2012-2014 & total connections & description in details.**
- d) **Description, as to why the applicants are deprived from electricity connection & true photocopy of deprived applicants and correspondence media with cell numbers.**
- e) **Total amount of grounding electro rod/pipe up to year 2012-2014 & permanent & present address of facilitated clients including office copy & photocopy of master copy.**
- f) **Office copy & detailed description of customers up to 2012-2014 including memo file numbers, eye witnessed photocopy.**
- g) **Whether any tender was called for completion of Ashulia Palli Bidyut Samity-1 works or not? If yes, published in which newspaper? Photocopy of published tender notice with date of publication. Name of contractors allowing to works being bid in tender with location, name of owner & cell phone numbers.**
- h) **How much amount of connections are under process? How much is total transformer presently stored in godown and cell phone numbers of customers' connection under process with present address.**

02. Not getting the requested information in due time, the complainant filed appeal on 20-04-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 22-05-2014.

03. On the date of hearing complainant Mr. Md. Motiur Rahman without showing any cause remained absent. But the opposite party Mr. Md. Shahjahan Kabir, Deputy General Manager & Designated Officer (RTI), Ashulia Zonal Office Palli Bidyut Samity-1, Savar, Dhaka is present.

Discussion

As the complainant remained absent after receiving summon & without showing any cause, hence, the complaint seems to be disposable.

Decision

As the complainant remained absent after receiving summon & without showing any cause, hence, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Building (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-E-Bangla Nagar, Dhaka-1207

Complaint No.-54/2014

Complainant: Maolana Kari Md. Elias
Father-Kari Hasmat Ali
Village+Post-Mesera
Post Code No.-2300
Hossainpur, Kishoreganj.

Opposite Party: Mr. Golam Mahbub
Sub-Registrar
&
Designated Officer (RTI)
Upazila-Nandail
District-Mymensingh.

Decision Paper
(Date-16-07-2014)

Complainant Maolana Kari Md. Elias filed complaint again to the Information Commission against Mr. Md. Golam Mahbub, the Sub-Registrar of Nandail Upazila, District-Mymensingh and Designated Officer (RTI) on 25-05-2014 in respect to complaint filed bearing No.-13/2014. In his statement he mentioned that the Information Commission though directed to serve information vide decision paper in memo No.-ICC/Admin-23(Part-2)/2013-813, the Designated Officer (RTI) served no information.

02. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014

03. On the date of hearing complainant Maolana Kari Md. Elias & opposite party Mr. Golam Mahbub, the Sub-Registrar of Nandail Upozila, District-Mymensingh & Designated Officer(RTI) and his appointed attorney Md. Anisur Rahman are present. The Complainant mentioned in his statement that the Information Commission though directed to serve information vide decision paper, the Designated Officer (RTI) did not serve correct information. He only issued a letter, served no copy of investigation report.

04. The Sub-Registrar of Nandail Upazila, District-Mymensingh & Designated Officer (RTI) mentioned in his statement that, at the time of application for information filed by the complainant he was not that in office. Being received the decision paper in respect to complaint No.-13/2014, informed the District Registrar regarding issuance of information and the District Registrar informed him that the matter was resolved by this time. The learned attorney mentioned in his statement that, on last 03-10-2013 information was provided to the complainant in 42 pages. In the office there are no more information or no more report available. This day he has also brought the information of 42 pages & ensured to serve the complainant again.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) served information to the complainant available to his office, and there is no more information sought for by the complainant in his office. Designated Officer (RTI) since ensured to serve information available to his office & sought for by the complainant again, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Sub-Registrar of Nandail Upazila, District-Mymensingh & Designated Officer (RTI) is directed to serve the information sought for by the complainant on or before 24-07-2014.
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-55/2014

Complainant: Mr. Prodip Shashi Chakma
Father-Sadhon Mohan Chakma
Village-Monatek, No.-248
Mubachhori Mouza
Upazila-Mohalchhori
District-Khagrachhari Hill Tracts

Opposite Party: Mr. Md. Ashik Imran
Officer-in-Charge-Nursery Super
&
Designated Officer (RTI)
Bangladesh Fisheries Development
Corporation
Mohalchhori, Khagrachhori.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Prodip Shashi Chakma filed application by registered post on 16-03-2014 to Mr. Md. Akbar, Designated Officer, Bangladesh Fisheries Development Corporation, Mohalchhori, Khagrachhori seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Policies of Bangladesh Fisheries Development Corporation & photocopy of fish's royalty list with detailed description.**
- **To sell fishes of own ownership/samity ownership ponds whether approval is needed or not & has option to take royalty of sold fish or not? Photocopy with detailed description.**
- **Whether any provision available to take fish for food & transports to the officials of BFDC performing duty at the time of fishing to any pond whether ownership or samity ponds or not? Photocopy with detailed description.**

02. Not getting the requested information in due time, the complainant filed appeal to Mr. Md. Mainul Hasan, Appellate Authority, Bangladesh Fisheries Development Corporation, Mohalchhori, Khagrachhori on 17-04-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 28-05-2014.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mr. Prodip Shashi Chakma remained absent. But opposite party Mr. Md. Ashik Imran, the Officer-in-Charge-Nursery Super of Bangladesh Fisheries Development Corporation, Mohalchhori, Khagrachhori & Designated Officer (RTI) is present. The Designated Officer (RTI) in his statement mentioned that the complainant filed application for information to the former Designated Officer

(RTI). On receipt of summon yesterday, he came to know about application for information. He ensured to serve information to the complainant as prayed for.

Discussion

After hearing and reviewing the submitted evidences of Designated Officer (RTI) it was found that the information sought for by the complainant can be served & since the Designated Officer (RTI) was not informed about application for information, could not serve information timely. The Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Officer-in-Charge-Nursery Super of Bangladesh Fisheries Development Corporation, Mohalchhori, Khagrachhori & Designated Officer (RTI) is directed to serve the information to the complainant prayed for under Right to Information Act, 2009 subject to pay the cost of information on or before 24-07-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-56/2014

Complainant: Mr. Abul Kashem Al Asad(Faisal)
Father-Late Abdus Sobhan
393, Jollarpar (Main Road)
Post & Police Station-Sadar Sylhet
District-Sylhet 3100

Opposite Party: Mr. Nurul Alam
Assistant Waqf Administrator
&
Designated Officer (RTI)
Waqf Bhaban, 4
New Eskaton Road
Dhaka-1000.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Abul Kashem Al Asad (Faisal) filed application for information to the Information Commission seeking for the following information to Mr. Nurul Alam, the Assistant Waqf Administrator of Bangladesh Waqf Administration & Designated Officer (RTI) on 23-04-2014 by registered post-

- **Application for Waqf Estate (Impugned) enlistment under provisions 47 of Waqf Ordinance of 08-01-1975 A.D. duly filed by Hazi A. Salam vide E.C. No.-15509 (Hazi Abdur Rahman Waqf Estate) to Bangladesh Waqf Administrator, Dhaka Office & general applications filed & written true copy of order (printed) & photocopy.**

02. The Designated Officer (RTI) since rejected the application for information by registered post, the complainant bypassing appeal option filed complaint directly to the Information Commission on last 01-06-2014.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mr. Abul Kashem Al Asad & opposite party Mr. Nurul Alam, the Assistant Waqf Administrator of Bangladesh Waqf Administration & Designated Officer(RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Assistant Waqf Administrator of Bangladesh Waqf Administration & Designated Officer (RTI) in his statement mentioned that information available to his office was served to the complainant. But E.C. No.-15509 (Hazi Abdur Rahman Waqf Estate) 1st part was not available to his office.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) served information to the complainant available to his office. The Designated Officer (RTI) since ensured to inform the complainant regarding information of E.C. No.-15509 (Hazi Abdur Rahman Waqf Estate) 1st part is not available to his office the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Assistant Waqf Administrator of Bangladesh Waqf Administration & Designated Officer (RTI) is directed to serve information if available to his office or notice the complainant if not available subject to pay the cost of information on or before 24-07-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-57/2014

Complainant: Mr. Badiul Alam Majumder
Father-Rongu Miah Majumder
12/2 Iqbal Road
Mohammadpur, Dhaka.

Opposite Party: Mr. S M Asaduzzaman
Director (Public Relations)
&
Designated Officer (RTI)
Bangladesh Election Commission
Secretariat
Sher-E-Bangla Nagar, Dhaka.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Badiul Alam Majumder filed complaint to this effect that, subject to his application bearing No.-97/2013 Dated-22-10-2013 the initiative of Election Commission basis to decision of Information Commission to take opinion of Third Party under Section 9(8) of Rights to Information is misread of ordinance & was not applied properly. He filed complaint to the Information Commission against decision of Information Commission & initiatives of Election Commission.

02. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

03. On the date of hearing complainant Mr. Badiul Alam Majumder & opposite party Mr. S M Asaduzzaman, the Director (Public Relations) of Bangladesh Election Commission & Designated Officer (RTI) and his appointed attorney Mr. Touhidul Islam are present. The Complainant mentioned in his statement that, the audit report of political parties was not served to him. In decision paper respect to complaint No.-97/2013 filed to the Information Commission though directed to take opinion of political parties but the audit report of political parties available to Election Commission & that is public document. Since those are public document, so, it can be served.

04. The Director (Public Relations) of Bangladesh Election Commission & Designated Officer (RTI) mentioned in his statement that, in respect to the complaint filed previously bearing No.-97/2013 to the Information Commission, as directed by the Information Commission, the Election Commission issued letters to 21(twenty one) political parties regarding consent & only three of political parties give consent to issue information. In this respect the complainant informed by letter issued on 23-12-2013 that he can get information of those three political parties. Under section 9(8) of Right to Information Act, 2009 there is provision to no information be served to any party without consent of concerned. The political parties denied

to serve information to any third party, delivery of those information since is not legal; informed the complainant duly.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) since taken action as decision of Information Commission respect to complaint No.-97/2013 and informed the complainant regarding action taken, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

As the Designated Officer (RTI) on the basis to decision of Information Commission informed the complainant regarding providing of information the complaint is disposed of keeping uphold the previous decision.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-58/2014

Complainant: Mst. Shahida Begum
Husband-Md. A. Salam
Village-Krishnapur
Post Office-Moghalbasha
Police Station & District-Kurigram.

Opposite Party: Mr. Md. Kawsar Ali
Secretary
&
Designated Officer (RTI)
No.-07
Moghalbasha Union Council Office
Kurigram Sadar, Kurigram

Decision Paper

(Date-16-07-2014)

Complainant Mst. Shahida Begum filed application on 16-01-2014 to Mr. Md. Kawsar Ali, Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. Copy of report of UP Members' Honorarium of Moghalbasha Union Council from August/2011 to December/2013 & copies of acknowledgements of honorarium.**
- 2. Copy of allotments of room in Union Complex Building.**
- 3. List of projects of Podokhkhep implemented in the financial year 2012-2013, list of committee, list of beneficiaries.**
- 4. List of distribution of GR Cash by the Moghalbasha Union Council.**
- 5. Copy of master role of distributed rice in occasion of Eidul Fitr/13 under Special VGF allotments.**
- 6. Copy of list of distribution of almirah to various education institutions in financial year 2010-2011.**
- 7. List of distribution of CI Sheet relief in financial year 2012-2013.**
- 8. List of distribution of warm clothes (sweater) in financial year 2012-2013.**

02. Not getting the required information due time, the complainant filed appeal to Mr. Md. Enamul Haque, Chairman & Appellate Authority (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram on 12-02-2014 by registered post. After filing the appeal, being found no remedy; she filed complaint to the Information Commission on 05-06-2014 & 12-06-2014 in the same subject matter.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mst. Shahida Begum & opposite party Mr. Md. Kawsar Ali, Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram both are present. The Complainant mentioned in her statement that she filed application to the Designated

Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, she filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, she filed complaint to Information Commission.

05. The Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram mentioned in his statement that he came to know about filing of application for information after receiving summon of Information Commission. After informing the UP Chairman regarding delivery of information, he directed to provide information subject to pay the cost of information. Then the complainant was directed orally to pay cost of information but since she did not pay the cost of information, information she sought for was not provided. Information prayed by the complainant is ready to provide, he ensured to provide on payment of cost of information.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the Designated Officer (RTI) directed the complainant to pay the cost of information orally. Since the complainant did not pay the cost of information, the Designated Officer (RTI) served no information. Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Secretary & Designated Officer (RTI), No.-07 Moghalbasha Union Council Office, Kurigram Sadar, Kurigram is directed to provide the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 24-07-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-59/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Safiuddin
E-34, West side of RAB-2
Agargaon, Dhaka-1207.

Opposite Party: Mahbuba Bilkis
Senior Assistant Secretary
&
Designated Officer (RTI)
Ministry of Water Resources
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Md. Kutub Uddin filed application by registered post on 26-01-2014 to the Designated Officer (RTI) of the Ministry of Water Resources seeking for the following information under section 8(1) of Right to Information Act, 2009 –

- **Information regarding implementation of 09 recommendations mentioned in application submitted on last 10-09-2013-(09 Recommendations of application dated-10-09-2013:**
 1. **In view of training of rivers in Bangladesh like as Mississippi; joint venture initiative might be taken with Mississippi river training authority.**
 2. **In view of collection fund for such a big project, fund might be collected from United Nations, International Organizations, expatriates & non-resident Bangladeshi.**
 3. **Regular maintenance of rivers banks, dams, city safety dams & monthly report on monitoring.**
 4. **Setting of blocks in banks of rivers timely & regular observation.**
 5. **Strengthening of rivers dragging & stopping the draw of sands from rivers without planning.**
 6. **Advices & recommendations from victim peoples.**
 7. **To prevent braking of banks in dry season, taking of modern techniques.**
 8. **Constructing rubber damn using quality rubber instead of concrete cover and set those cover in banks of rivers can set sufficient amount of block at end of cover. It would be economic & easy to transport.**
 9. **Chittagong & Mongla Port Authority also can take such attempt to prevent erosion of banks under their supervision.)**

02. Not getting the required information in due time, the complainant filed appeal to the Secretary & Appellate Authority (RTI), Ministry of Water Resources, Bangladesh Secretariat on 08-05-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 12-06-2014.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mr. Md. Kutub Uddin & opposite party Mahmuba Bilkis, the Senior Assistant Secretary of the Ministry of Water Resources & Designated Officer (RTI) both are present. The Complainant mentioned in her statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The Senior Assistant Secretary of Ministry of Water Resources & Designated Officer (RTI) mentioned in her statement that, by this time information has been provided to the complainant. In hearing the complainant also informed that he received information prayed for.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the Designated Officer (RTI) since served information sought for by the complainant & the complainant since received information prayed for, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instruction:
Since information sought for by the complainant was provided, the complainant is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-60/2014

Complainant: Mr. Omar Ali

Father-Late Joinal Abedin
Chief Coordinator
Human Rights Review Society
101 Beer Uttam C R Dutta Road (4th
Floor)
Bangla Motor, Dhaka-1205.

Opposite Party:

Mr. Md. Sirajul Islam
Deputy Secretary
&
Designated Officer (RTI)
Ministry of Foods
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Md. Omar Ali filed application on 06-01-2014 to the Deputy Secretary of Ministry of Foods & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act-2009-

- 1. As per Special Power Act of year 1974, the highest punishment cited as 07 to 14 years rigorous imprisonment including death sentence in food adulteration. Basis to that act, list of sentenced criminals up to year 2013 and information basis to year.**
- 2. To catch criminals in red hand, detailed description of monitoring & trap program.**
- 3. From 1st assembly to 9th assembly, promises of the Prime Minister & the promises of Minister of Foods in parliament and latest update i.e. implemented, part implemented & non-implemented promises list in details & correct information.**
- 4. Information regarding progress in research of prevention of fault in foods & formalin in foods.**
- 5. Information regarding actions for decline fault in foods in zero level target.**
- 6. In view of foods solvency to the foods crisis districts (Laxmipur, Noakhali & Feni), information regarding programs in reality.**
- 7. To overcome upcoming foods crisis allover the country, information regarding research in Bangladesh & actions taken.**
- 8. Application of Mr. Md. Kutub Uddin for declaration of formalin & fault free foods country dated-20-11-2013, information regarding progress of recommended 11 articles.**

02. Not getting the requested information in due time, the complainant filed appeal to the Secretary & Appellate Authority (RTI), Ministry of Foods, Bangladesh Secretariat on 07-04-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on last 12-06-2014.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 16-07-2014.

04. On the date of hearing complainant Mr. Omar Ali & opposite party Mr. Md. Sirajul Islam, the Deputy Secretary of the Ministry of Foods & Designated Officer (RTI) both are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The Deputy Secretary of the Ministry of Foods & Designated Officer (RTI) mentioned in his statement that, since application for information was not received, so, information could not be provided to the complainant. Some information is not available to his office. Information sought for in serial 02 since is secret cannot be served. The Designated Officer ensured to serve the information available to his office.

06. Information sought for in serial No.-02 since is secret and cannot be served under Right to Information Act, 2009 & the Designated Officer ensured to serve information available to his office & the commission expressed its opinion that the information if not available; will direct the complainant where to file application for information.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party Designated Officer (RTI) it was found that information sought for in serial No.-02 since is secret cannot be served under Right to Information Act, 2009. The Designated Officer since ensured to serve information available to his office & directed the complainant where he can get information, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Deputy Secretary of the Ministry of Foods & Designated Officer (RTI) is directed to serve the information available to his office and sought for by the complainant and the information not available be directed the complainant where he can get information subject to pay the cost of information on or before 12-08-2014.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction. Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-61/2014

Complainant: Mr. Md. Abdur Rashid
Father-Md. Yad Ali Mridha
House No.-18, Road No.-3/A
Sector-9, Uttara
Dhaka.

Opposite Party: Mr. Md. A. Latif
Sub-Assistant Engineer
Dhaka O&M Division-2, WDB
Hasan Court, 5th Floor, 23/1
Motijheel C/A, Dhaka.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Md. Abdur Rashid filed application on 11-05-2014 to Mr. Md. Abdul Latif, Sub-Assistant Engineer & Designated Officer (RTI), Dhaka O&M Division-2, WDB, Hasan Court, 5th Floor, Motijheel C/A, Dhaka-1000 seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. Whether Section-120 of WDB Service Rule 1982 replaced with any section of WDB Service Rule 2013 or not or action to resolve whether taken by the Board or the Government, information in full with required documents.**
- 2. Information regarding Pension Easy Rule approved by the government whether following by the board or not. If not, photocopy of circulation certified by first class officer passed for direction.**
- 3. The circular issued by the WDB bearing memo No.-WDB/Audit/Admin/Illegible/100, Dated-20-02-2014 served to three divisions would be applicable for employees retired before 1989-2014 and objection of audit arisen or not? Information in this regard.**
- 4. Employees retired in that period are enjoying pension resolving audit objection mentioned in that memo?**
- 5. Basic responsibility to resolve audit objection of the department vested to whom actually.**
- 6. Reference to the letter of 30-11-2011, the memo of Executive Engineer of Bogra Khash Division bearing Memo No.-E. Engineer/Khash/Bogra/GF/I-20/52, dated-31/03/2014, the report served by Director Audit Department, photocopy of report with full information duly certified by 1st class officer.**
- 7. The report with reference of Sirajganj BRI(Special) O&M Division bearing Memo No.-A-21/1067/1, Dated-03-03-2014, though informed that the involvement in objection is not proved, as to why the memo of Audit Directorate bearing No.-WDB/Audit/Admin-235(33-Part)/2015, dated-21-04-2014 discussed the audit objection. Asking to explanation of Audit Directorate about logic. This is to be mentioned that, Mr. Md. Abdur Rashid did not any works under DMP in Sirajganj O&M Division &**

received no bill and not paid, at the time of rent of Long Reach Room he even was not serving in that Division. Seek information to Audit Directorate in this regard.

02. On receipt of application for information, the Designated Officer issued notice denying to serve information to the Complainant on last 12-05-2014. Then the complainant filed appeal to Md. Sahidur Rahman, Director General & Appellate Authority (RTI), Office of the Director General, WDB, WAPDA Bhaban, Motijheel C/A, Dhaka-1000. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 19-06-2014.

03. Agenda was discussed in the meeting of Commission dated-29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

04. On the date of hearing complainant Mr. Md. Abdur Rashid & opposite party Mr. Md. Abdul Latif Islam, the Sub-Assistant Engineer, Dhaka O&M Division-2, WDB, Hasan Court, 5th Floor, Motijheel C/A, Dhaka is present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. The Sub-Assistant Engineer, Dhaka O&M Division-2, WDB, Hasan Court, 5th Floor, Motijheel C/A, Dhaka mentioned in his statement that, in website of Information Commission his name, designation & address is mentioned but the address is not of his office. He was not appointed duly by specified form of Information Commission. His Supervising Officer Engineer Mr. Tarik A. Al-Fayaz, the Executive Engineer of Dhaka O&M Division-2, WDB informed him that, as per demand of Deputy Commissioner in meeting of Dhaka District Coordinating Committee asked name of one Information Issuing Officer for Dhaka O&M Division, then his name was proposed. Since he has no information, informed the complainant instantly.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the complainant did not file the application for information to right person as Designated Officer (RTI). The Commission since passed opinion to take initiative to serve information to the complainant prayed for & issued letter to the Director General, Office of the Director General, WDB, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 to appoint a Designated Officer (RTI), the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Commission directed to take initiative to serve information to the complainant prayed for & the Director General, Office of the Director General, WDB, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 to appoint a Designated Officer (RTI).
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-62/2014

Complainant: Mr. Pronob Saha
Father-Gopal Saha
Village-Nimaichala
Post-Bitipara
Sreepur, Gazipur

Opposite Party: Dr. Sheikh Md. Hasan Imam
Upazila Health & Family Planning
Officer
&
Designated Officer (RTI)
Upazila Hospital
Sreepur, Gazipur.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Pronob Saha filed application by registered post on 07-05-2014 to Dr. Sheikh Md. Hasan Imam, Upazila Health & Family Planning Officer & Designated Officer(RTI), Upazila Hospital, Sreepur, Gazipur seeking for the following information under section 8(1) of Right to Information Act, 2009:

- **List of distributed medicines amongst the patients whether free of cost or in less cost from 2012 to 31st December 2013 A.D. from Community Hospital of Bitipara Village under Barmi Union.**

02. Since the application for information was rejected, the complainant filed complaint to the Information Commission on last 19-06-2014.

03. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

04. On the date of hearing complainant Mr. Pronob Saha & opposite party Dr. Sheikh Md. Hasan Imam, Upazila Health & Family Planning Officer & Designated Officer (RTI), Upazila Hospital, Sreepur, Gazipur are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the authority rejected the application for information, he filed complaint to Information Commission.

05. The Upazila Health & Family Planning Officer & Designated Officer (RTI), Upazila Hospital, Sreepur, Gazipur mentioned in his statement that, the information sought for by the complainant was not served since the application for information was not received duly. No application ever rejected from his office without receiving. Information sought for by the complainant is ready to serve & he ensured to serve it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) did not receive the application for information filed by the complainant. The Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Upazila Health & Family Planning Officer & Designated Officer (RTI), Upazila Hospital, Sreepur, Gazipur is directed to serve the information sought for by the complainant on or before 24-07-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Rights to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-63/2014

Complainant: Mr. Dipok Barman

Father-Digendra Barman
Village-Bitipara
Post-Bitipara
Sreepur, Gazipur

Opposite Party: Mr. Jaminul Haque

Sub-Registrar
&
Designated Officer (RTI)
Office of the Sub-Registrar
Sreepur, Gazipur.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Dipok Barman filed application by registered post on last 08-05-2014 to Mr. Jaminul Haque, Sub-Registrar & Designated Officer (RTI), Office of the Sub-Registrar, Sreepur, Gazipur seeking for the following information under section 8(1) of Right to Information Act, 2009 :

- **Which documents are necessary to buy and sell lands of tribal community & permission of which officer is necessary.**

02. Since the application for information was rejected, the complainant filed complaints to the Information Commission on 19-06-2014.

03. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

04. On the date of hearing complainant Mr. Dipok Barman & opposite party Mr. Jaminul Haque, Sub-Registrar, Office of the Sub-Registrar, Sreepur, Gazipur are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the authority rejected the application for information, he filed complaint to Information Commission.

05. The Sub-Registrar, Office of the Sub-Registrar, Sreepur, Gazipur mentioned in his statement that the information sought for by the complainant was not served since the application for information was not received duly. Information sought for by the complainant is ready and brought with him to serve & he ensured to serve it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) did not receive the application for information filed by the complainant. The Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Sub-Registrar & Designated Officer (RTI), Office of the Sub-Registrar, Sreepur, Gazipur is directed to serve the information sought for by the complainant on or before 24-07-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-64/2014

Complainant: Mr. Mithun Barman

Father-Kamalakanta Barman
Village-Bitipara
Post-Bitipara
Sreepur, Gazipur

Opposite Party: Mr. Jaminul Haque

Sub-Registrar
&
Designated Officer (RTI)
Office of the Sub-Registrar
Sreepur, Gazipur.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Dipok Barman filed application by registered post on 08-05-2014 to Mr. Jaminul Haque, Sub-Registrar & Designated Officer (RTI), Office of the Sub-Registrar, Sreepur, Gazipur seeking for the following information under section 8(1) of Right to Information Act, 2009:-

- **Copy of rules & regulations for deed registration of land.**

02. Since the application for information was rejected, the complainant filed complaint to the Information Commission on 19-06-2014.

03. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

04. On the date of hearing complainant Mr. Mithun Barman is absent showing cause of ailment. But the opposite party Mr. Jaminul Haque, Sub-Registrar, Office of the Sub-Registrar, Sreepur, Gazipur is present. The Sub-Registrar, Office of the Sub-Registrar, Sreepur, Gazipur mentioned in his statement that, the information sought for by the complainant was not served since the application for information was not received duly. Information sought for by the complainant is ready and brought with him to serve & he ensured to serve it.

Discussion

After hearing and reviewing the submitted evidences of Designated Officer (RTI) it was found that the Designated Officer (RTI) did not receive the application for information filed by the complainant. The Designated Officer (RTI) since ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Sub-Registrar & Designated Officer (RTI), Office of the Sub-Registrar, Sreepur, Gazipur is directed to provide the information sought for by the complainant on or before 24-07-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-65/2014

Complainant: Mr. Laxmikanta Barman
Father-Brojobanshi Barman
Village-Bitipara
Post-Bitipara
Sreepur, Gazipur

Opposite Party: Mr. Jaminul Haque
Sub-Registrar
&
Designated Officer (RTI)
Office of the Sub-Registrar
Sreepur, Gazipur.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Laxmikanta Barman filed application by registered post on 08-05-2014 to Mr. Jaminul Haque, Sub-Registrar & Designated Officer (RTI), Office of the Sub-Registrar, Sreepur, Gazipur seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Permission of Deputy Commission is needed to sell the land of tribal community under Sreepur Upazila. Copy of order of this circular issued from which year.**

02. Since the application for information was rejected, the complainant filed complaint to the Information Commission on 19-06-2014.

03. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

04. On the date of hearing complainant Mr. Laxmikanta Barman & opposite party Mr. Jaminul Haque, Sub-Registrar, Office of the Sub-Registrar, Sreepur, Gazipur are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act-2009 seeking for the information mentioned in article-01. Since the authority rejected the application for information, he filed complaint to Information Commission.

05. The Sub-Registrar, Office of the Sub-Registrar, Sreepur, Gazipur mentioned in his statement that, the information sought for by the complainant was not served since the application for information was not received duly. He ensured to serve the information sought for by the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) did not receive the application for information filed by the complainant. Since the Designated Officer (RTI) ensured to serve information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Sub-Registrar & Designated Officer (RTI), Office of the Sub-Registrar, Sreepur, Gazipur is directed to serve the information sought for by the complainant on or before 24-07-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-66/2014

Complainant: Mr. Md. Shah Alam (LLB)
House-4/10, Hummayun Road
Mohammadpur, Dhaka.

Opposite Party: Mr. Foisal Halim
Sub-Divisional Engineer
Public Works Maintenance Wing-2
5-A/11, Rajia Sultana Road
Mohammadpur, Dhaka.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Md. Shah Alam (LLB) filed complaint to the Information Commission on 23-06-2014 against Mr. Foisal Halim, Sub-Divisional Engineer, Public Works Maintenance Wing-2, 5-A/11, Rajia Sultana Road, Mohammadpur Dhaka with charge that the Designated Officer(RTI) was not designated by him violating Sections 10(1)(2)(4) of Right to Information Act, 2009. In his complaint he prayed for legal remedy.

02. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

03. On the date of hearing complainant Mr. Md. Shah Alam (LLB) & opposite party Mr. Foisal Halim, Sub-Divisional Engineer, Public Works Maintenance Wing-2, 5-A/11, Rajia Sultana Road, Mohammadpur Dhaka are present. The Complainant mentioned in his statement that he filed complaint with charge that the Designated Officer (RTI) was not designated by him violating Sections 10(1)(2)(4) of Right to Information Act, 2009.

04. The Sub-Divisional Engineer, Public Works Maintenance Wing-2, 5-A/11, Rajia Sultana Road, Mohammadpur Dhaka mentioned in his statement that in the meantime the Designated Officer (RTI) & Appellate Authority (RTI) have been appointed centrally. He produced the copy of appointment to the Commission in hearing.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) & Appellate Authority (RTI) have been appointed centrally; so, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instruction:

As the Designated Officer (RTI) & Appellate Authority (RTI) have been appointed centrally; so, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-67/2014

Complainant: Mr. Md. Shah Alam (LLB)
House-4/10, Hummayun Road
Mohammadpur, Dhaka.

Opposite Party: Kazi Mohammad Abu Hanif
Executive Engineer
Public Works Maintenance
Division
1st 12th Level
Government Office Building
Dhaka.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Md. Shah Alam (LLB) filed complaint to the Information Commission on 23-06-2014 against Kazi Mohammad Abu Hanif, Executive Engineer, Public Works Maintenance Division, 1st 12th Level Government Office Building, Dhaka with the charge that the Designated Officer(RTI) was not designated by him violating Sections 10(1)(2)(4) of Right to Information Act, 2009. In his complaint he prayed for legal remedy.

02. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

03. On the date of hearing complainant Mr. Md. Shah Alam (LLB) & opposite party Kazi Mohammad Abu Hanif, Executive Engineer, Public Works Maintenance Division, 1st 12th Level Government Office Building, Dhaka are present. The Complainant mentioned in his statement that he filed complaint with the charge the that Designated Officer (RTI) was not designated by him violating Sections 10(1)(2)(4) of Right to Information Act, 2009.

04. The Executive Engineer, Public Works Maintenance Division, 1st 12th Level Government Office Building, Dhaka mentioned in his statement that the Designated Officer (RTI) & the Appellate Authority (RTI) have been appointed centrally. He produced the copy of appointment to the Commission in hearing.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) & the Appellate Authority (RTI) have been appointed centrally; so, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

As the Designated Officer (RTI) & Appellate Authority (RTI) have been appointed centrally, so, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-68/2014

Complainant: Nargis Akter
Father-Abdul Halim
No.-1 Patharghata
Reserve Bazar
Police Station-Kotwali
District-Rangamati.

Opposite Party: Hafez Nazrul Islam Naimee
Principal
&
Designated Officer (RTI)
Rangamati Senior Madrasah
Rangamati.

Decision Paper

(Date-26-08-2014)

Complainant Nargis Akter filed application by registered post on 15-06-2014 to Hafez Nazrul Islam Naimee, Principal & Designated Officer(RTI), Rangamati Senior Madrasah, Rangamati Hill Tracts seeking for the following information under section 8(1) of Right to Information Act, 2009-

Information relevant to appointment of Assistant Teacher (Social Science) to Rangamati Senior Madrasah.

- a) **Resolution of cancellation of Appointment Examination in Assistant Teacher (Social Science) held on 04-04-2013.**
- b) **The notifications published in daily newspapers on the basis of notification published in official website of Madrasah Education Board on 26-01-2014.**
- c) **Resolution of meeting of application scrutinizing committee held on 03-05-2014.**
- d) **Applications of 05(five) candidates with attached certificates took part in appointment examination for the post of Assistant Teacher (Social Science) on 03-05-2014.**
- e) **Resolution of approval of appointment of Registered Lecturer as Assistant Teacher dated-24-05-2014.**
- f) **Appointment letter issued to the Registered Lecturer as Assistant Teacher.**
- g) **Joining letter of the Registered Lecturer as Assistant Teacher.**
- h) **Interview card issued to me which was taken back from me before appointment examination held on 03-05-2014.**

02. Being the application for information was rejected by the Designated Officer (RTI), the complainant filed complaint to the Information Commission on 24-06-2014.

03. Agenda was discussed in the meeting of Commission on 29-06-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 17-07-2014.

04. The Designated Officer filed time petition. The Commission allowed time petition & fixed the date of hearing on 26-08-2014 and issued summonses to the Complainant & the Designated Officer (RTI).

05. On the date of hearing, learned Advocate Mr. Gafur Badsha for the complainant & learned Advocate for opposite party Mr. Souren Dey are present. The learned Advocate for the complainant mentioned in his statement that the complainant filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the authority rejected the application for information, she filed complaint to Information Commission.

06. The learned attorney for opposite party mentioned in his statement that the information sought for by the complainant was not served since the application for information was not received duly. As directed by the Commission, he ensured to serve the information sought for by the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) did not receive the application for information filed by the complainant. The learned attorney for Designated Officer (RTI) since ensured to serve information sought for by the complainant under Right to Information Act, 2009, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Principal & Designated Officer (RTI), Rangamati Senior Madrasah, Rangamati Hill Tracts is directed to serve the information sought for by the complainant on or before 07-09-2014 subject to pay value of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-69/2014

Complainant: Mr. Md. Shah Alam (LLB)
House-4/10, Hummayun Road
Mohammadpur, Dhaka.

Opposite Party: Executive Engineer
DPDC, NOCS Shyamoli
8/2 Lalmatia, Block-A
Dhaka-1207.

Decision Paper

(Date-26-08-2014)

Complainant Mr. Md. Shah Alam (LLB) filed complaints to the Information Commission on 29-06-2014 against the Executive Engineer, DPDC, NOCS, Shyamoli, 8/2 Lalmatia, Block-A, Dhaka-1207 with charge that the Designated Officer(RTI) was not designated violating Sections 10(1)(2)(4) of Right to Information Act-2009. In his complaint he prayed for legal remedy.

02. The matter was discussed in the meeting of Commission date on 07-08-2014. According to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 26-08-2014 issued summons to concerned parties.

03. On the date of hearing complainant Mr. Md. Shah Alam (LLB) is present. Opposite party the Executive Engineer, DPDC, NOCS, Shyamoli, 8/2 Lalmatia, Block-A, Dhaka-1207 is absent. The Complainant mentioned in his statement that he filed complaints with charge that the Designated Officer (RTI) was not designated violating Sections 10(1)(2)(4) of Right to Information Act-2009. After filing of complaint, since Designated Officer (RTI) & Appellate Authority (RTI) were duly appointed, he has no more complaint in this regard. But the Designated Officer (RTI) & Appellate Authority (RTI) were not appointed in other information cells of Dhaka Power Distribution Company Ltd. (DPDC), hence the rights of public to get information is reducing.

Discussion

After hearing and reviewing the submitted evidences of the complainant it was found that, the Designated Officer (RTI) & Appellate Authority (RTI) were designated in the concerned office; so, the complaint seems to be disposable.

Decision

After detailed discussion since, the concerned authority has appointed Designated Officer (RTI) and Appellate Authority as per demand of the complainant, so, the complaint is disposed of. But the DPDC is directed to appoint Designated Officer & Appellate Authority in all other information cells of DPDC under section 10 of Right to Information Act, 2009 and inform the commission within next 15 days.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-70/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Safi Uddin
E-34, West Side of RAB-2
Agargaon, Dhaka.

Opposite Party: Mr. Mohammad Saiful Alam Khan
Systems Analyst
&
Designated Officer (RTI)
Bangladesh Computer Council
Sher-E-Bangla Nagar, Dhaka-1207.

Decision Paper

(Date-26-08-2014)

Complainant Mr. Kutub Uddin filed application by registered post on 08-04-2014 to Mr. Mohammad Saiful Alam Khan, the Systems Analyst of Bangladesh Computer Council & Designated Officer(RTI) under section 8(1) of Right to Information Act-2009 seeking for the following information:-

- **Information regarding progress of D.O. Letter sent on last 18-06-2013 issued by Mr. Md. Shahid Uddin Chowdhury Anny, 276, Laxmipur-3 Honorable Member of Parliament in the 9th Assembly.**

02. Not getting the requested information in due time, the complainant filed appeal to the Secretary of Ministry of Information & Communications & Appellate Authority (RTI) on 12-05-2014. After filing the appeal, being found no remedy; he filed complaints to the Information Commission on 29-06-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 26-08-2014.

04. On the date of hearing complainant Mr. Kutub Uddin & opposite party Mr. Mohammad Saiful Alam Khan, the Systems Analyst of Bangladesh Computer Council & Designated Officer (RTI) both are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act-2009 seeking for information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). Getting no remedy even submission of appeal, he filed complaint to Information Commission.

05. Mr. Mohammad Saiful Alam Khan, the System Analyst of Bangladesh Computer Council & Designated Officer (RTI) mentioned in his statement that, at the time he was appointed as Designated Officer he was in abroad. As to why he could not provide information timely. Then collecting information he has provided the

information to the complainant. In tribunal of, He ensured to provide the information to the complainant in the tribunal of Information Commission.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the Designated Officer (RTI) provided requested information to the complainant. The Designated Officer (RTI) in tribunal of Information Commission, since ensured to serve the information to the complainant again, the complaint seems to be disposable.

Decision

After discussion in details, since the Designated Officer (RTI) provided information to the complainant, so, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-71/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Safi Uddin
E-34, West side of RAB-2
Agargaon, Dhaka.

Opposite Party: Dr. Md. Shahid Ullah
Director-14
&
Designated Officer (RTI)
Prime Minister's Office
Tejgaon, Dhaka.

Decision Paper

(Date-29-09-2014)

Complainant Mr. Kutub Uddin filed application by registered post on 09-02-2014 to the Director-14, Prime Minister's Office & Designated Officer(RTI) under section 8(1) of Right to Information Act-2009 seeking for the following information:-

- **Respect to the written letter to the Honorable Prime Minister dated-05-12-2013 regarding Lease of lands in Congo in view of cultivation; the Ministry of Agriculture sent vide a letter dated-21-01-2014 and informed me that, on the directions from Prime Minister's Office, action in this regard would be taken.**

So, information regarding directions of Honorable Prime Minister's Office in this regard.

02. Not getting the information in due time, the complainant filed appeal by registered post on 06-04-2014 to the Chief Secretary of Prime Minister's Office & Appellate Authority (RTI). After filing the appeal, being found no remedy; he filed complaints to the Information Commission on 29-06-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26-08-2014.

04. The Designated Officer (RTI) filed time petition. The Commission allowed time petition & fixed the date of hearing on 29-09-2014 issued summonses to the Complainant & the Designated Officer (RTI).

05. On the date of hearing complainant Mr. Kutub Uddin & opposite party Dr. Md. Shahid Ullah, the Director-14 of Prime Minister's Office & Designated Officer (RTI) both are present. The Complainant mentioned in his statement that he filed application to the Ministry of Agriculture with some recommendations to lease of lands in Congo to the Prime Minister. The Ministry of Agriculture vide a letter

informed him that, on directions from Prime Minister's Office, action in this regard would be taken. Then he filed application to the Director-14 of Honorable Prime Minister's Office & Designated Officer (RTI) regarding the progress of letter. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). Getting no remedy on appeal, he filed complaint to Information Commission.

06. The Director-14 of Prime Minister's Office & Designated Officer(RTI) mentioned in his statement that, respect to the summon issued by the Commission register of letter receipt section of the office was searched for letter of complainant Mr. Md. Kutub Uddin but no letter was received. Since the application of complainant was not reached to his office, no action in this regard was taken. He ensured that following the proper process of Rights to Information Act-2009 & file application for information with specific information might be provided to the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that, the application for information did not reach to the office of Designated Officer (RTI), hence no action in this regard was taken. Since the Designated Officer (RTI) ensured that, following the proper process of Rights to Information Act-2009 & file application for information with specific information might be served to the complainant, so, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The complainant is directed to file application for information observing the process for application under Rights to Information Act-2009 & for specific information.
2. The Designated Officer (RTI) is directed to serve the information if application for information filed duly by the complainant.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-72/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Safi Uddin
E-34, Beside West of RAB-2
Agargaon, Dhaka.

Opposite Party: Mr. Md. Mosharaf Hossain
Joint Secretary
&
Designated Officer (RTI)
Ministry of Home Affairs
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-26-08-2014)

Complainant Mr. Kutub Uddin filed application by registered post on 30-04-201 to the Joint Secretary of Ministry of Home Affairs (Administration) & Designated Officer (RTI) under section 8(1) of Right to Information Act-2009 seeking for the following information-

- 1. Information explaining reason as to why the accused Jalal Uddin Bappi, Mahbub & Rajib Prodhan yet not be arrested though in FIR case No.-21 Dt.-11-03-2014 of S. Keraniganj, District-Dhaka with charge of Car kidnapping & serial no.-1250, Dt-12-03-2014 filed with RAB-10.**
- 2. Information regarding not giving of Charge Sheet of aforesaid case yet.**

02. Not getting information in due time, the complainant filed appeal to the Senior Secretary of the Ministry of Home Affairs & Appellate Authority (RTI) on 03-06-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 29-06-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 26-08-201.

04. On the date of hearing complainant Mr. Kutub Uddin & opposite party Mr. Md. Mosharaf Hossain, Joint Secretary of Ministry of Home Affairs & Designated Officer (RTI) both are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act-2009 seeking for information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). Getting no remedy on appeal, he filed complaint to Information Commission.

05. The Joint Secretary of Ministry of Home Affairs & Designated Officer (RTI) mentioned in his statement that, the application for information filed by the complainant was not received in his office. He ensured to provide the information if the complainant file application for information to Designated Officer (RTI).

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the application for information did not reach to the office of Designated Officer (RTI). Since, following the proper process, if the complainant file application to the Designated Officer (RTI) for information he ensured to serve the information to the complaint, so, the case seems to be disposable

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Complainant is directed to file application for information to the Designated Officer (RTI).
2. The Designated Officer (RTI) is directed to serve the information sought by the complainant if he files application for information to the Designated Officer (RTI).
3. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under rule-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-73/2014

Complainant: Mr. Md. Raihan Uddin
Father-Rashid Ahmed
West S M Para
Ward No.-5, Alir Jahan
Cox's Bazar.

Opposite Party: Mr. Ashish Kumar Dey
Deputy Director
&
Designated Officer (RTI)
Agriculture Extension Directorate
Anderson Road, Cox's Bazar.

Decision Paper

(Date-26-08-2014)

Complainant Mr. Md. Raihan Uddin filed application by registered post on last 05-02-2014 to Mr. Ashish Kumar Dey, Deputy Director & Designated Officer(RTI), Agriculture Extension Directorate, Anderson Road, Cox's Bazar seeking for the following information under section 8(1) of Right to Information Act-2009 :-

- 1. List of services rendered to the farmers in last (2013) one year from Upazila Agriculture Office.**
- 2. Copy of policies for distribution of Agriculture Loan required. In last financial year 2011-2012, list of names obtained agriculture loan & information of repayment of loans paid by farmers.**

02. The application for information by post was rejected by the Designated Officer, the complainant filed complaint to the Information Commission on 29-06-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26-08-2014.

04. On the date of hearing complainant & Designated Officer (RTI) both are absent. The complainant filed an application to the Information Commission and mentioned that, the information he prayed for was served. Since he has no more complaint, he requested to settle the complaint. The Designated Officer (RTI) sent copy to the Information Commission after providing the information to the complainant.

Discussion

After reviewing the evidences from the complainant, it was found that, information sought for by the complainant was served. Since the complainant received information he sought for & requested to settle the complaint, so the case seems to be disposable

Decision

Since the complainant received information he prayed for & filed application to settle the complaint, hence, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-74/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Safi Uddin
E-34, Beside West of RAB-2
Agargaon, Dhaka.

Opposite Party: Mr. Md. Sirajul Islam
Deputy Secretary
&
Designated Officer (RTI)
Ministry of Foods
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-26-08-2014)

Complainant Mr. Kutub Uddin filed application on 02-12-2013 to the Designated Officer (RTI) of Ministry of Foods under section 8(1) of Right to Information Act, 2009 seeking for the following information:-

- **Information regarding progress of 11 recommendations of my written letter dated-20-11-2013 A.D.**

02. Not getting the asking information in due time, the complainant filed appeal to the Secretary of Ministry of Foods & Appellate Authority (RTI) on 17-06-2014 by GEP post. Appellate Authority since rejected the appeal, the complainant filed complaint to the Information Commission on 29-06-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26-08-2014

04. On the date of hearing, complainant Mr. Md. Kutub Uddin & opposite party Mr. Md. Sirajul Islam, Deputy Secretary of Ministry of Foods & Designated Officer (RTI) both are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate authority (RTI). Appellate Authority since rejected the appeal, he filed complaint to Information Commission.

05. The Deputy Secretary of Ministry of Foods & Designated Officer (RTI) mentioned in his statement that, file was placed before superior authority to specify the limit of information may be served. As directed by the superior authority, he made communication over phone with the complainant. Then the complainant informed that he needs not any information.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that, the application for information filed by the complainant was related to some of his recommendations. Any recommendation can not be considered as information.

Decision

After discussion in details the complaint is disposed of with following instruction:

The information sought for by the complainant is recommendation, as the recommendation is not information, so, the Designated Officer (RTI) is directed to give thanks to the complainant for his recommendations & inform him that the recommendations he served would be taken by the government if needed and the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-75/2014

Complainant: Mr. Md. Abdul Aziz

Father-Md. Arman Ali Pramanik
Village+Post-Hulhulia
Police Station-Singra
District-Natore.

Opposite Party: Mr. Md. Atoar Rahman

District Cooperatives Officer (Acting)
&
Designated Officer (RTI)
District Cooperatives Office, Natore.

Decision Paper

(Date-26-08-2014)

Complainant Mr. Md. Abdul Aziz filed application on 02-03-2014 to Mr. Md. Atoar Rahman, District Cooperatives Officer (Acting) & Designated Officer (RTI), District Cooperatives Office, Natore seeking for the following information under section 8(1) of Right to Information Act, 2009 :-

- **Accounts Statement of my share savings including interest from my membership to revoke of membership in Cooperatives Department Employees Multipurpose Cooperative Society of Natore District.**

02. Not getting the information in due time, the complainant filed appeal to Mr. Md. Ahsan Kabir, Joint Registrar & Appellate Authority (RTI), Divisional Cooperatives Office, 191/B, Kazihata, Rajshahi Division, Rajshahi on 09-04-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 30-06-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26-08-2014.

04. On the date of hearing, complainant Mr. Md. Abdul Aziz is absent. Opposite party Mr. Md. Atoar Rahman, District Cooperatives Officer (Acting) & Designated Officer (RTI), District Cooperatives Office, Natore is present. The Designated Officer (RTI) mentioned in his statement that, information sought for by the complainant was served on last 01-04-2014 by registered post. Since the recipient did not receive the letter, it was bounced on last 08-04-2014. Information then was served again, but again he did not receive so the letter was bounced on last 21-04-2014.

Discussion

After hearing and reviewing the submitted evidences of Designated Officer (RTI), it was found that the complainant needs not any information. The information sent by the Designated Officer (RTI) as rejected by the complainant, so, the complaint seem to be disposable.

Decision

After discussion in details the complaint is disposed of with following instruction:

Since, the complainant remains absent without any intimidation & as the information sent by the Designated Officer (RTI) was rejected by the complainant & the letter was bounced, the complainant needs not any information, so, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-76/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Safi Uddin
E-34, Westside of RAB-2
Agargaon, Dhaka.

Opposite Party: Mr. Md. Akhter Hossain
Joint Secretary
&
Local Government Department
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-26-08-2014)

Complainant Mr. Kutub Uddin filed application on 18-11-2013 to the Joint Secretary of Local Government Department (Administration-1) & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Information regarding progress of my written letter dated-27-10-2013.**

02. Not getting the required information in due time, the complainant filed appeal to the Secretary of Local Government Department & Appellate Authority (RTI) on 29-12-2013 by GEP post. After filing the appeal, being found no remedy; the complainant filed complaint to the Information Commission on 01-07-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing, complainant Mr. Md. Kutub Uddin & opposite party Mr. Md. Akhter Hossain, the Joint Secretary of Local Government Department are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act-2009 seeking for information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to Information Commission.

05. The Joint Secretary of Local Government Department mentioned in his statement that, he performed his responsibility as Joint Secretary & Designated Officer(RTI) previously. Presently he is on duty with other division. Since summon issued in his name, he appeared to the Tribunal of Commission. The complainant filed no application for information to the Local Government Department under Right to Information Act. He just produced a statement comprising 18 recommendations. Since application for information under section

8 of Rights to Information Act was not filed, no information delivered to him. Basis to personal recommendations of complainant, no action could not be taken under Rights to Information. Information prayed for is not information at all, those are recommendations. The complainant if file application for information regarding the Local Government Department under Rights to Information, he ensured to serve information within stipulated time. Further he mentioned that, since presently there is no Designated Officer (RTI) in concerned division action is to be taken to appoint Designated Officer (RTI).

Discussion

After hearing and reviewing the submitted evidences on of both the complainant and Designated Officer (RTI) it was found that the application for information filed by the complainant was related to some of his recommendations. Any recommendation is not information.

Decision

After discussion in details the complaint is disposed of with following instruction:

The information sought for by the complainant is recommendation, as the recommendation is not information, the Designated Officer (RTI) is directed to give thanks to the complainant for his recommendations & inform him that the recommendations he submitted would be taken by the government if needed, and the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-77/2014

Complainant: Mr. Md. Shafiur Rahman
Father-Late Md. Abdul Jawad
1/20 Kallyanpur Housing Estate
Kallyanpur, Dhaka-1207.

Opposite Party: ATM Ahmedur Rahman
Deputy General Manager
&
Designated Officer (RTI)
Investment Corporation of Bangladesh
Rajshahi Branch
Shaheb Bazar, Rajshahi.

Decision Paper

(Date-27-08-2014)

Complainant Mr. Md. Shafiur Rahman filed application to the Deputy General Manager & Designated Officer (RTI), Investment Corporation of Bangladesh, Rajshahi Branch, Shaheb Bazar, Rajshahi seeking for the following information on 19-04-2014 under section 8(1) of Right to Information Act, 2009-

- **Information regarding following documents submitted by the Account Holder at the time of opening in a total 11 investment account bearing No. 1299 to 1309 with ICB Rajshahi Branch-**
 - a) **Account Opening Forms**
 - b) **Specimen Signature cards**
 - c) **Authorisation of Power for Opening the Account by another person on behalf of the Investor**
 - d) **Authorisation of Power for Conducting Account by ICB on behalf of the Investor, and**
 - e) **Other related Papers and Documents Required for Maintaining the Accounts- attested copies.**

02. Not getting the information in due time, the complainant filed appeal to the Managing Director & Appellate Authority (RTI), Investment Corporation of Bangladesh, Head Office, 8, Rajuk Avenue, Dhaka-1000 on 27-05-2014. After filing the appeal, being found no remedy; the complainant filed complaint to the Information Commission on 01-07-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing, complainant Mr. Md. Shafiur Rahman & opposite party ATM Ahmedur Rahman, Deputy General Manager & Designated Officer (RTI) Investment Corporation of Bangladesh, Rajshahi Branch, Shaheb Bazar, Rajshahi are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act-2009 seeking for the information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to Information Commission.

05. The Deputy General Manager & Designated Officer (RTI) Investment Corporation of Bangladesh, Rajshahi Branch, Shaheb Bazar, Rajshahi mentioned in his statement that, amongst information & documents sought by the complainant only 05 accounts from 1299 to 1303 is related to name of complainant. Other 06 Investment Accounts (from 1304 to 1309) since no option to maintain with signature of complainant, he has no right to get information of those accounts at all. Because the information saved to them as trusted property of account holder those never would be served to any third party. Moreover, on the basis of the rules of ICB, any account holder reserves not the right serve other information but Investment accounts statement as prayed for information of Investment Account Opening Forms, specimen signature cards etc. photocopy.

06. Personal information cannot be served but with consent of joint account holders whether option available to serve information, in reply of such question the Designated Officer (RTI) informed that with consent of joint holders, information could be served.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that amongst information sought for by the complainant some other could not be served under section 7 of Rights to Information Act, 2009. In case of single/sole account holder, only accounts statement could be served & in case of joint account holder, with consent of other joint holders, information could be served. The Designated Officer (RTI) as directed by the commission, since ensured to serve accounts statement related information of sole account of complainant & with consent & approval of joint accounts holder in case of joint account to the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Deputy General Manager & Designated Officer (RTI) Investment Corporation of Bangladesh, Rajshahi Branch, Shaheb Bazar, Rajshahi is directed to serve the information regarding sole accounts & with consent of joint holders of accounts sought for by the complainant.
2. Designated Officer(RTI) is directed to deposit money collected as value of information delivered under section-9 of Rights to Information Act, 2009 and under section-8 of Rights to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-78/2014

Complainant: Mr. Md. Badsha Mia
Father-Md. Alamgir Hossain
TK Bhaban (3rd Floor)
13 Kawran Bazar
Dhaka-1215.

Opposite Party: Mr. Farid Ahmed
Deputy Director
&
Designated Officer (RTI)
Directorate of Environment, Head Office
Poribesh Bhaban, Agargaon, Dhaka.

Decision Paper

(Date-27-08-2014)

Complainant Mr. Md. Badsha Mia filed application to Mr. Farid Ahmed, the Deputy Director of Directorate of Environment & Designated Officer (RTI) seeking for the following information on 05-05-2014 under section 8(1) of Right to Information Act-2009-

- **All information only for Dhaka, Narayanganj, Gazipur, Manikganj & Munshiganj.**
- 1) **List of factories, the ETP is mandatory (with full address for communication).**
- 2) **List of factories issued (ETP relevant) Environment NOC till the date of application (with full address for communication).**
- 3) **List of factories already has ETP till the date of application (with full address for communication).**
- 4) **List of factories (ETP relevant) where operation (Mobile court) carried out till the date of application (with full address for communication).**
- 5) **List of factories fined in operation (with amount & reason of penalty) (with full address for communication).**
- 6) **List of criteria observed in operation (water quality parameter).**
- 7) **Information of sample collected in operation (laboratory test result).**

02. Not getting information in due time, the complainant filed appeal to Mr. Md. Shafiqur Rahman Patwary, the Secretary of the Ministry of Environment & Forestry & Appellate Authority (RTI) on 08-06-2014. After filing the appeal, Mr. Farid Ahmed, the Deputy Director (Press) of Directorate of Environment served information to the complainant vide memo No.-Poribesh/Press/Rights to Information/02/2011/145 Dt.-29-06-2014. The complainant filed complainant to the Information Commission mentioning the information incorrect & incomplete on 06-07-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing, complainant Mr. Md. Badsha Mia & opposite party Mr. Farid Ahmed, the Deputy Director (Press) of Directorate of Environment & Designated Officer (RTI) is present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for information mentioned in article-01. Since the authority delivered information which was incorrect and incomplete, he filed appeal to the Appeal Authority (RTI). Then the Designated Officer (RTI) served information incorrect & incomplete, hence he filed complaint to Information Commission.

05. The Deputy Director of Directorate of Environment & Designated Officer (RTI) mentioned in his statement that the information sought for by the complainant since is not clear & specified, served information as can read out but the complainant is not satisfied with information served by the authority. The complainant if file application for information again with clear & specific prayer, the Designated Officer (RTI) ensured to serve the information.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the information sought for by the complainant is not clear & specified. The complainant if files application for information again with clear & specific prayer, the Designated Officer (RTI) since ensured to serve the information, the complaint seems to be s disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Complainant is directed to file application for information clearly & seeking specific information.
2. On receipt of application for information filed by the complainant the Deputy Director of Directorate of Environment & Designated Officer (RTI) is directed to serve the information sought for by the complainant subject to pay the cost of information.
3. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rule, 2009 to government treasury in financial code No-1-3301-0001-1807.
4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-79/2014

Complainant: Mr. Md. Abdul Alim
Senior Journalist
Oporadh Bichitra
Modern Mansion
53 Motijheel C/A
Dhaka-1000.

Opposite Party: Mr. Benojir Kamal
Deputy General Manager
&
Designated Officer (RTI)
Agrani Bank, Head Office, Dhaka.

Decision Paper

(Date-27-08-2014)

Complainant Mr. Md. Abdul Alim filed application to Mr. Syed Abdul Hamid, the Managing Director & CEO & Designated Officer(RTI), Agrani Bank, Head Office, Dilkusha C/A, Dhaka-1000 seeking for the following information on 15-05-2014 under section 8(1) of Right to Information Act, 2009-

- **There is complaint against Agrani Bank for expenditure in annual picnic of CBA from CSR Fund, Officers' Samity, Gopalganj District Samity, Gonojagoron Moncha & inauguration ceremony of Hatirjheel Project of the Capital. A sum of taka 1 crore 40 lac granted to an organization named Social Progress Services in the name of tree plantation. Grant in the name of BIMB a sum taka 12 lac. Under no circumstances those expenditures can be treated under CSR Fund. You are requested to provide your opinion & statement in this regard. This is for public interest.**

02. Getting no information in due time, the complainant filed appeal to the Chairman & Appellate Authority (RTI), Agrani Bank, Head Office, Dilkusha C/A, Dhaka-1000 on 17-06-2014 by registered post. After filing the appeal, Mr. Md. Benojir Kamal, Deputy General Manager, BSUCD, Agrani Bank, Head Office, Dilkusha C/A, Dhaka-1000 issued a notice on 02-07-2014 denying to provide any information, then the complainant filed complainant to the Information Commission on 06-07-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing, complainant Mr. Md. Abdul Alim & opposite party Mr. Benojir Kamal, the Deputy General Manager of Agrani Bank, Head Office & Designated Officer (RTI) and learned attorney for him Khan Md. Mahbubur Rahman are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate

Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to the Information Commission.

05. The learned attorney for Designated Officer (RTI) mentioned in his statement that the complainant filed no application for information. He requested for remarks & statement, hence the Designated Officer could not provide any information. The complainant if file application for information again with clear & specific prayer, the Designated Officer (RTI) ensured to provide the information.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the complainant filed no application for information. The complainant if file application for information with clear & specific prayer, the Designated Officer (RTI) since ensured to serve the information, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Complainant is directed to file application for information clearly & seeking specific information.
2. On receipt of application for information filed by the complainant the Deputy Director of Directorate of Environment & Designated Officer (RTI) is directed to serve the information sought for by the complainant subject to pay the cost of information.
3. Designated Officer (RTI) is directed to deposit money collected as value of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-80/2014

Complainant: Mr. S M Saif Ali

Father-S M Mujibur Rahman
Meherba Plaza (10/11 level)
33 Topkhana Road
Dhaka-1000.

Opposite Party: Selina Shamsi

Principal (Acting)
&
Designated Officer (RTI)
Motijheel Model High School & College
Motijheel, Dhaka-1000.

Decision Paper

(Date-27-08-2014)

Complainant Mr. S M Saif Ali filed application to Selina Shamsi, the Principal (Acting), Motijheel Model High School & College & Designated Officer (RTI) seeking for the following information on 07-04-2014 & 29-05-2014 by registered post under section 8(1) of Right to Information Act-2009-

- **Information requested by the application for information dated-07-04-2014**
 - a) **Names of newspaper published the tender bearing title Invitation for tender (IFD) no. 01/2013-2014, Memo no. & date: 24/11/2013 & date on which the notice was published.**
 - b) **Name of contractor who got the work order & his business address.**
- **Information requested by the application for information dated-29-05-2014**
Names of newspaper published notice with title of Tender for Notice for Development Works of Motijheel Model High School & College & date on which the notice was published. Bearing Invitation for tender (IFD) no. 01/2013-2014, Memo no. & date: 24/11/2013 and name of contractor who got the work order and his business address. The tender under any circumstance, the authority if canceled the tender, then reason of cancellation in specific & document of decision passed by the authority.

02. The Designated Officer (RTI) since did not receive the application by post & bounced it, then the complainant filed appeal to Mr. Awlad Hossain, the Chairman of Governing Body of Motijheel Model High School & College & Appellate Authority (RTI) on 29-05-2014 by registered post. The Appellate Authority (RTI) since did not receive the application and bounced it, the complainant filed complainant to the Information Commission on 06-07-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing complainant Mr. S M Saif Ali & opposite party the Principal (Acting) of Motijheel Model High School & College & Designated Officer (RTI) and learned attorney for her Shimul

Chandra Das are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to the Information Commission.

05. The learned attorney for Designated Officer (RTI) mentioned in his statement that, he is appointed as attorney of Designated Officer (RTI) today. Then he appeared in the hearing of the Commission. He prayed for time to submit written reply.

06. Being rejected of time petition, the Commission since mentioned about providing information to the complainant, the learned attorney ensured to provide information to the complainant through the Designated Officer (RTI).

Discussion

After hearing and reviewing the submitted evidences of both the complainant and attorney of Designated Officer (RTI), time petition of attorney rejected. The learned attorney since ensured to serve information to the complainant through the Designated Officer (RTI), the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Principal (Acting) of Motijheel Model High School & College & Designated Officer (RTI) is directed to provide the information sought for by the complainant on or before 04-09-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-81/2014

Complainant: Mr. Md. Abdur Rashid

Father-Md. Yad Ali Mridha
House No.-18, Road No.-3/A
Sector-9, Uttara
Dhaka.

Opposite Party: Mr. Abdul Latif

Sub-Assistant Engineer
Dhaka O&M Division-2, WDB
Hasan Court, 5th Floor
Motijheel C/A, Dhaka-1000.

Decision Paper

(Date-17-07-2014)

Complainant Mr. Md. Abdur Rashid filed application to Mr. Md. Abdul Latif, Sub-Assistant Engineer & Designated Officer (RTI), Dhaka O&M Division-2, WDB, Hasan Court, 5th Floor, Motijheel C/A, Dhaka-1000 seeking for the following information on 15-06-2014 under section 8(1) of Right to Information Act-2009-

1. **The Reference to memo No- WDB/Audit/Admin-235(33-Part)/2015, dated-20-04-2014 WDB Audit Directorate raised many audit objections in Bogra Mechanical Division in years 1989-98. Want to know the names of officials involved in those audit objection raised in those period. Photocopy of CAG to be certified by 1st Class officer.**
2. **The report with memo No.- WDB/Audit/Admin-235(33-Part)/2015, dated-21-04-2014 prepared by the WDB Audit Directorate sent to Board Secretariat as CAG Report stored & preserved in Audit Directorate, the terms 'Involvement' used by the Executive Engineer of Bogra Khash Division whether found correct or not? If yes or not, certified copy is needed from Audit Directorate of WDB.**

02. Not getting information in due time, the complainant filed appeal to Mr. Md. Sahidur Rahman, Director General & Appellate Authority (RTI), Office of the Director General, WDB, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 on 18-06-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 15-07-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing, complainant Mr. Md. Abdur Rashid & opposite party Mr. Abdul Latif, the Sub-Assistant Engineer & Designated Officer (RTI), Dhaka O&M Division-2, WDB, Hasan Court, 5th Floor, Motijheel C/A, Dhaka-1000 are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate

Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to the Information Commission. He mentioned further in his statement that, after going PRL he received no pension. Reason of no payment of pension was not informed. He came to know that audit objection pending against him but he did not receive anything regarding audit objection.

05. The Sub-Assistant Engineer, Dhaka O&M Division-2, WDB, Hasan Court, 5th Floor, Motijheel C/A, Dhaka mentioned in his statement that, in the website of Information Commission his name, designation & address is mentioned but the address is not of his office. He was not appointed duly by specified form of Information Commission. His Supervising Officer Engineer Mr. Tarik A. Al-Fayaz, the Executive Engineer of Dhaka O&M Division-2, WDB informed him that, the Deputy Commissioner, Dhaka in meeting of District Coordinating Committee asked name of one Information Issuing Officer for Dhaka O&M Division, then his name was proposed. Since he has no information, informed the complainant instantly.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the complainant filed no application for information to right person as Designated Officer (RTI). The Commission since passed opinion to take initiative to serve information to the complainant requested for & issue letter to the Director General, Office of the Director General, WDB, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 to appoint a Designated Officer (RTI), the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Commission directed to take initiative to serve information to the complainant requested for & the Director General, Office of the Director General, WDB, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 to appoint a Designated Officer (RTI).
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-82/2014

Complainant: Mr. Md. Abdul Haque
Father-Hazi Md. Abdul Hakim
Harua East Fishery Road
Kishoreganj.

Opposite Party: Project Implementation Officer
&
Designated Officer (RTI)
Katiadi, Kishoreganj

Decision Paper

(Date-17-07-2014)

Complainant Mr. Md. Abdul Haque filed application to Mr. Md. Abdul Gani, the Project Implementation Officer & Designated Officer (RTI), Katiadi, Kishoreganj seeking for the following information on 02-06-2013 by registered post under section 8(1) of Right to Information Act, 2009-

- **Former UP Members respectively Md. Samsuddin, Sultan Uddin filed an application to the Deputy Commissioner, Kishoreganj on last 06-07-08 with charge against former Chairman of Bonogram Union Council Khushid Uddin to misappropriate of public fund & goods of Bonogram Nondibari (illegible print) being taken by Police keeping to the Council Office for long time then sold those, after filing of letter/application issued notice from office of the Upazila Project Implementation Officer, Katiadi, Kishoreganj on last 03-08-08 and complaint filed by former UP Members Mr. Shamsuddin & Sultan Uddin against former Chairman of Bonogram Union Council was investigated vide memo No.-224/2(5) Date-28-07-08, need memo & investigation report & photocopy of the application dated-06-07-08.**

02. Not getting the information in due time, the complainant filed appeal to Mr. Md. Habibur Rahman, District Relief & Rehabilitation Officer & Appellate Authority (RTI), Kishoreganj on 14-07-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 17-07-2014.

03. Agenda was discussed in the meeting of Commission on 07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing complainant Mr. Md. Abdul Haque & opposite party Mr. Md. Abdul Gani, the Project Implementation Officer & Designated Officer (RTI), Raipura, Narsingdi are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to the Information Commission.

05. The Project Implementation Officer, Raipura, Narsingdi mentioned in his statement that, being transferred from previous office now he is posted as the Project Implementation Officer, Raipura, Narsingdi. Previously he served as the Project Implementation Officer & Designated Officer (RTI) of Katiadi under District-Kishoreganj. Since summon was issued to his name, he appeared in the hearing of Commission. At the time of perform as Designated Officer (RTI) in Katiadi, Kishoreganj, since no investigation report was available under his custody, informed it to the complainant issuing letter. The Project Implementation Officer, Raipura, Narsingdi since ensured to serve information to the complainant by present Project Implementation Officer & Designated Officer (RTI) of Katiadi.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the Designated Officer (RTI) has no investigation report available to his office files, informed it to the complainant issuing letter. The Officer present in hearing since ensured to serve information to the complainant by the Project Implementation Officer & Designated Officer (RTI) of Katiadi, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Project Implementation Officer & Designated Officer (RTI), Katiadi, Kishoreganj is directed to serve the information sought for by the complainant on or before 04-09-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-83/2014

Complainant: Mr. Delower Bin Siraj
Father-Late Hazi Siraj Uddin
2/2 R K Mission Road
2nd Floor, Gift Valley
Dhaka-1203.

Opposite Party: Mr. Benojir Kamal
Deputy General Manager
&
Designated Officer (RTI)
Agrani Bank Ltd., BSUCD
Sunmoon Tower, 11th Floor
37 Dilkusha C/A, Dhaka-1000.

Decision Paper

(Date-27-08-2014)

Complainant Mr. Md. Delower Bin Siraj filed application on 12-05-2014 to Mr. Benojir Kamal, the Deputy General Manager of Agrani Bank Ltd., Head Office & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. Name, address of receivers of 10 pay-orders/cheque issued in favour of 10 organizations from Agrani Bank Ltd., Principal Branch, Dhaka as per attached list & application for assistance in serial No.-1.**
- 2. Out of enclosed 10 cheques how many was encashed & how many paid in the account of receiver. Paid in which branch of which bank & written statement of Principal Branch mentioning account numbers, if available.**
- 3. Whether any policies available in issue of CSR? If yes, then attested photocopy.**

02. Not getting information in due time, the complainant filed appeal to Mr. Syed Abdul Hamid, the Managing Director of Agrani Bank Ltd., Head Office & Appellate Authority (RTI), on 19-06-2014. After filing the appeal, Mr. Md. Benojir Kamal, Deputy General Manager of Agrani Bank Ltd. issued a notice on 02-07-2014 denying to serve any information. Then the complainant filed complainant to the Information Commission on 24-07-2014.

03. Agenda was discussed in the meeting of Commission dated-07-08-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 27-08-2014.

04. On the date of hearing, complainant Mr. Delower Bin Siraj & Benojir Kamal, Deputy General Manager of Agrani Bank Ltd. Head Office are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Rights to Information Act, 2009 seeking for the information mentioned in article-01. Since the authority delivered no information, he filed appeal to the Appellate

Authority (RTI). After filing the appeal, Designated Officer (RTI) issued notice denying to serve any information. Then he filed complaints to the Information Commission.

05. The Deputy General Manager of Agrani Bank Ltd. & Designated Officer (RTI) mentioned in his statement that, the complainant sought follow-up of information served to him previously. Information sought by the complainant if served, activities of bank may be hampered. Under section 7(o) of Right to Information Act, 2009, the information sought for by the complainant could not be served with interest of technical & commercial secret of Bank.

06. Since, the Commission express opinion to this effect that the information sought for by the complainant can be provided under Right to Information Act, 2009, the Designated Officer (RTI) ensured to serve information sought for by the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the information sought for by the complainant if served, would not hamper the Bank interest & activities. There is no hindrance to serve information to the complainant under Right to Information Act, 2009. Designated Officer (RTI) since ensured to serve the information sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Deputy General Manager of Agrani Bank Ltd. Head Office & Designated Officer (RTI) is directed to serve the information sought for by the complainant on or before 04-09-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-84/2014

Complainant: Mr. Md. Abdul Karim	Opposite Party: Mr. Md. Abdul Bari
Bismillah Homoeo Hall	Secretary
Brahman Bazar	&
Post Code No.-Kajaldara-3234	Designated Officer (RTI)
Kulaura, Moulvibazar.	Kulaura, Moulvibazar.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Md. Abdul Karim filed complaint again to the Commission against Mr. Md. Abdul Bari, Secretary & Designated Officer (RTI), No-05 Brahman Bazar Union Council, Kulaura, Moulvibazar respect to his complaint bearing No.-52/2014 on 06-08-2014. In complaint he mentioned that, respect to complaint No.-52/2014, information served by the Designated Officer (RTI) on 27-07-2014 is unexpected, incomplete, forged & confusing. To gain full furnished information, he filed complaint to the Information Commission.

02. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 29-09-2014.

03. On the date of hearing complainant Mr. Md. Abdul Karim & opposite party Mr. Md. Abdul Bari, Secretary & Designated Officer (RTI), No.-05 Brahman Bazar Union Council, Kulaura, Moulvibazar both are present. The Complainant mentioned in his statement that, after hearing of complaint No.-52/2014 and on the basis of the decision passed by the Commission, the information served by the Designated Officer (RTI) is unexpected, incomplete, forged & confusing. He filed complaint to the Information Commission again to gain full furnished information sought for in serial No.-1,4,5&9.

04. The Secretary & Designated Officer (RTI), No.-05 Brahman Bazar Union Council, Kulaura, Moulvibazar mentioned in his statement that, after hearing of complaint No.-52/2014 Commission directed to serve information available to his office to the complainant on or before 24-07-2014 subject to pay the cost of information. Since the complainant paid no cost of information & though contacted to receive information, the complainant made no contact and then on last 23-07-2014 served information available to his office to the complainant Mr. Abdul Karim by registered post. They tried their best to serve information sought for by the complainant Mr. Abdul Karim in 9 points as true to their knowledge & record of office & served information within stipulated time. Information regarding distance of Guravui village from No.-5 Brahman Bazar UP informed about 2 kilo meter west side, that is approximate and specific information not available to the record of Union Council, since the Union Council has no voter list provided by the

government, could not be served & information sought in serial No.-9 that in west side of Guravui village there is one hill named Gusaitila that not available in any record of their office. Though served information, complainant dissatisfied with information served to him, the Commission directed to serve full furnished information, the Designated Officer (RTI) ensured to serve it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) served information to the complainant prayed for but he was not satisfied with information served to him. After hearing Designated Officer (RTI) since ensured to serve information other than available in Council Office & information involved to pending cases in clear form, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Secretary & Designated Officer (RTI), No.-05 Brahman Bazar Union Council, Kulaura Upazila, District-Moulvibazar is directed to serve the information mentioned in discussion and sought for by the complainant on or before next 12-10-2014 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-85/2014

Complainant: Mr. Ferdous Hasan

Father-Md. Hasan Ali Sheikh
JC Road, Dhanbandhi
Sirajganj.

Opposite Party: Mr. Md. Mizanur Rahman

Assistant Monitoring Officer
&
Designated Officer (RTI)
District Primary Education Office
Sirajganj.

Decision Paper

(Date-16-07-2014)

Complainant Mr. Ferdous Hasan filed application on 18-02-2014 by GEP Post to the Designated Officer (RTI), District Primary Education Officer, Sirajganj seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Names, Roll Number, Total obtained number, Grade & subject wise obtained numbers i.e. including numbers of student subject wise basis to name of institution took part in Primary Education Completion Examination or PEC Examination of year 2013.**

02. Not getting the information in due time, the complainant filed appeal to the Deputy Director & Appellate Authority (RTI), Primary Education, Rajshahi Division, Rajshahi on 03-07-2014 by GEP Post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on last 18-08-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 29-09-2014.

04. On the date of hearing the complainant remains absent filing time petition, opposite party Mr. Md. Mizanur Rahman, the Assistant Monitoring Officer of District Primary Education Officer, Sirajganj & Designated Officer (RTI) is present. Time petition was granted by the Commission & date of hearing was fixed on 20-10-2014 and issued summonses to the complainant & Designated Officer (RTI).

05. On the date of hearing, complainant Mr. Ferdous Hasan remains absent but opposite party Mr. Md. Mizanur Rahman, the Assistant Monitoring Officer of District Primary Education Officer, Sirajganj & Designated Officer (RTI) is present. The Designated Officer (RTI) mentioned in his statement that, CD containing information sought for by the complainant was served without payment.

Discussion

After reviewing the statement of Designated Officer (RTI) it was found that the Designated Officer (RTI) served information to the complainant prayed for. Information sought for by the complainant since served, the complaint seems to be disposable.

Decision

The complainant since remains absent in Tribunal of Commission in consecutive 02(two) times & the Designated Officer (RTI) served information to the complainant prayed for, so, the complaint disposed of with dismissal order.

Let the copy be served to the parties concerned.

Signed

(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed

(Nepal Chandra Sarker)
Information Commissioner

Signed

(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-86/2014

Complainant: Valiant Freedom Fighter H Najir Ahmed
Father-Late A. Hakim
Baghmara, Sreepur
Gazipur.

Opposite Party: Dr. Shamim Rahman
Assistant Commissioner (Land)
&
Designated Officer (RTI)
Sreepur, Gazipur.

Decision Paper

(Date-20-10-2014)

Complainant Valiant Freedom Fighter H Najir Ahmed filed application to Assistant Commissioner (Land) of Sreepur Upazila under Gazipur District & the Designated Officer (RTI) seeking for the following information on 15-06-2014 under section 8(1) of Right to Information Act, 2009-

- **As to why the file of Sreepur Municipal Land Office bearing No.-1616/12-13 & 757/13-14 was cancelled and how much khash land area settled to whose names in last 5 years, full furnished list comprising names & addresses.**

02. In respect to the application for information, Mr. Nazmul Islam Bhuiyan, the Assistant Commissioner (Land) of Sreepur Upazila under Gazipur District & the Designated Office (RTI) provided information to the complainant vide Memo No.-ULO/Sree/Gazi/14-1354 (Brief) Dated-30-06-2014. Since the information served was incomplete, the complainant filed appeal to the Deputy Commissioner & Appellate Authority (RTI), Gazipur on 22-07-2014. After filing the appeal, being found no remedy, the complainant filed complaint to the Information Commission on 18-08-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 29-09-2014.

04. The complainant filed time petition. The commission approved the time petition & fixed the date of hearing on 20-10-2014 summonses were issued to the complainant & Designated Officer (RTI).

05. On the date of hearing, complainant Valiant Freedom Fighter H Najir Ahmed is absent. But the opposite party Dr. Shamim Rahman, Assistant Commissioner (Land) of Sreepur Upazila under Gazipur District & the Designated Officer (RTI) & the Designated Officer (RTI) is present. The Designated Officer (RTI) mentioned in his statement that, he was posted in this office on 14-10-2014. The then Designated Officer (RTI) issued a letter bearing No.-ULO/Sree/Gazi/14-1878 Dated-29-09-2014 to the complainant to deposit the

cost of information & collect the information. The complainant since paid no cost for information, the information prayed for was not provided to him.

Discussion

After hearing and reviewing the submitted evidences of the Designated Officer (RTI) it was found that the complainant did not pay the cost to collect. The commission reached in conclusion that, since the complainant collected no information paying the cost of information, he needs no more information, hence the complaint seems to be disposable.

Decision

As the complainant remains absent in consecutive two hearing & since did not contact with the Designated Officer(RTI) to collect information prayed for paying the cost of information and since the commission reached in conclusion that the complainant collected no information paying cost of information, he needs no more information, hence the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-87/2014

Complainant: Mr. Md. Tarikul Islam Linkon
Father-Md. Abdul Majid Mia
62/3/B, South Mugdapara
Dhaka.

Opposite Party: Mr. Nazrul Islam Misha
Public Relations Officer
&
Designated Officer (RTI)
BIWTC, Dos, Dhaka.

Judgement

Date-29-09-2014

According to the decision of meeting of the commission held on 15-09-2014, summonses were issued to the parties concerned fixing the date of hearing on 29-09-2014. On the date of hearing, both the parties appeared personally & produced their statement & replied the questions of the commission.

Complaint of complainant Mr. Md. Tarikul Islam Linkon & statement.

Complainant Mr. Md. Tarikul Islam Linkon, Father-Md. Abdul Majid Mia, 62/3/B, South Mugdapara, Dhaka filed application by GEP post on 25-08-2014 to Mr. Nazrul Islam Misha, the Public Relations Officer & Designated Officer (RTI) of BIWTC seeking for the following information under section 8(1) of Right to Information Act, 2009-

For long 04 years, authority harassing to pay bill for construction of repairing works in Base Store of Chittagong-1 Terminal. Information below regarding investigation of corruptions of Shahinur Bhuiyan, the Finance Director of Corporation and some other officials & present situation of investigation & bill-

- **The supervising authority did not submit any report after having completed the task for last 1 year. Complaint was filed against him & in respect to issue of many reminder letters by the corporation produced one irrational, baseless false report that was proved 100% false in further investigations. Later on the employee section requested him to submit genuine report. Even then he served no report.**

Required information:

Whether any action has been taken against the convener of committee or reply collected or not?

- The convener of the committee & member engineer since provided report otherwise could not pay bill of works completed and hence paid a running bill. That was forwarded to accounts section to pay with recommendation of Acting Director and approval of the Chairman. After long four months, bill was paid after deduction of Tk. 45000/- only.

Required information:

Statement of actins of four months after sending bill to accounts section & reason of deduction of Tk. 45000/- only.

- On submission of application to the Chairman, with his direction 3 members' committee headed by GM(Accounts) was formed to specify the amount of works within 10 working days.

Required information:

After how many days, the committee submitted report comprising what issues? Requested to issue copy of report with date.

- After a long time, a bill with approval of Chairman forwarded to the Accounts Section to pay a sum 3,39,000/- only. For not paying the bill, the bill was filed by the Audit Department for long two months, he then filed complaint of corruption against the Finance Director to the Chairman on 12-10-2012.

Required Information:

- (a) Activities of two months of accounts section & audit section.
 - (b) Statement of recommendations of audit department before & after filing of complaint against the Finance Director or copy is required.
 - (c) Whether any action was taken against the Finance Director being filing complaint to the Chairman or not? Statement is needed.
- To verify some objections from audit department, a committee was formed consisting three members including the GM (Marine). So far known that, the committee though allowed 10 days only, submitted no report after long 9 months.

Required Information:

Whether any action has been taken against the committee, since they submitted no report for a long time or not or any reply received from the committee or not?

- In application filed to the Chairman dated 24-07-2013 & 03-08-2013 claiming that there is no possibility to get rational report by the GM(Marine), requested to pay the bill in alternative arrangement.

Required Information:

- (a) Which action has been taken for two applications filed recently? Detailed action of both applications is required to know.**
- (b) On filing of last application, any report if delivered then copy is required.**
 - **It is known that, the chief audit officer of the Corporation & Deputy General Manager (Accounts) carried out two investigations by 2 individual committees.**

Required Information:

2 copies of report of those investigations.

The complainant filed application for information seeking for information aforesaid to Mr. Nazrul Islam Misha, the Public Relations Officer & Designated Officer (RTI) of BIWTC on 25-08-2013 and not getting the information, he filed appeal to the Chairman of BIWTC & Appellate Authority and being found no remedy even after submission of appeal, the complainant filed complaint to the Information Commission bearing No.-01/2014. In respect to the complaint, in hearing dated-27-01-2014 Mr. Nazrul Islam Misha, the Public Relations Officer & Designated Officer (RTI) of BIWT, Motijheel, Dhaka informed that the information sought for by the complainant could not be served without approval of superior authority as those are secrete information. The commission being reached in conclusion that the information sought for are not secret information at all under Right to Information Act, 2009, the Designated Officer (RTI) since ensured to serve information prayed for; directed to serve information within next 04.02.2014.

Respect to direction aforesaid, since information prayed for was not served, the complainant filed complaint again bearing No-22/2014 with charge of providing false information and on 29-04-2014 hearing was held in presence of both the parties. The Designated Officer mentioned in his statement that, he served information to the complainant but the complainant was dissatisfied with information served to him. Since he ensured to serve information prayed for by the complainant, directed to serve information within next 07.05.2014. But the Designated Officer served confusing information instead of actual & prayed information & the complainant filed complaint seeking punishment of Designated Officer bearing the complaint No-49/2014. Then the Designated Officer in hearing of Dated-15.07.2014 informed that the application for information filed by the complainant since was not specified, faced trouble in delivery of information prayed for. Then in reply of question by the Information Commission, the complainant specifically sought for information (1) copy of 04 reports of Departmental Investigation, (2) Report of Audit Section & (3) Reason of deduction of amount 45000/- only, on review of prayed information, the commission since reached in conclusion that the information can be provided under Right to Information Act and directed to serve information on or before 24.07.2014 but since the information was not served and replied later on, then complaint No.-87/2014 was filed.

On the basis of the summon issued by the commission, the complainant appearing to the commission solemnly produced same statement. He mentioned in his statement that, in respect to decision of commission of the complaint No-01/2014, 22/2014 & 49/2014 Mr. Nazrul Islam Misha, the Public Relations Officer & Designated Officer (RTI) of BIWTC served false information. He specifically mentioned that in the hearing of the complaint no-49/2014 he sought for information (1) copy of 04 reports of Departmental Investigation, (2) Report of Audit Section & (3) Reason of deduction of amount 45000/- only, on hearing by the commission though directed to serve the information but since the information was not served and replied later on and undermine the act, then repeated complaint was filed to Information Commission seeking punishment of Designated Officer (RTI) & receive information he prayed for.

Statement of Mr. Nazrul Islam Misha, the Public Relations Officer & accused Designated Officer (RTI) of BIWTC

On the basis of the summon issued by the commission, the Designated Officer (RTI) appearing in hearing of commission solemnly presented statement that in respect to complaint No-01/2014, the information prayed for by the complainant since is secret information, could not be served without approval of superior authority. The commission since reached in conclusion that the information prayed for by the complainant is not secret information under Right to Information Act, 2009 & directed to serve information. According to the direction of the commission, though he served information partly, the complainant filed complaint No-22/2014.

On the basis to summon issued by the commission, the Designated Officer (RTI) appearing in hearing of commission solemnly served statement that the information prayed for by the complainant was provided. But the complainant was not satisfied with information provided to him. As per direction of Information Commission, the Designated Officer ensured to serve information prayed for by the complainant. But information provided by the Designated Officer according to the direction of the commission since found dissatisfactory, the complainant filed complaint No-49/2014.

On the basis of the summon issued by the commission, the Designated Officer (RTI) appearing in hearing of commission solemnly served statement that the information prayed for by the complainant was served. But the information sought for by the complainant since was not clear & specific, the officer faced trouble to serve information to the complainant. Which information need to serve to the complainant, in reply of such question, the complainant sought for information regarding 04 investigation report, report for audit department & reason of deduction of Tk. 450000/- only, then the officer ensured to serve the information.

According to the decision of the commission in complaint no-49/2014 the Designated Officer (RTI) did not provide the information. The complainant submitted complaint no-87/2014. On the basis of the summon issued by the commission the Designated Officer (RTI) appearing in hearing of the commission solemnly presented statement that in complaint no-49/2014 the requested information of the complainant was specified i.e 04 investigation report, report for audit department & reason of deduction of Tk. 450000/- only, which was directed to provide by the commission. But he did not provide the information according to the direction of the commission claiming it secret.

Matters to be judged

1. Whether the information sought for by the complainant was specific and clear or not?
2. Whether the information sought for by the complainant was provided within the time fixed according to the Right to Information Act, 2009 or not?
3. Committee formed to pay the bill submitted (1) Copy of 04 departmental investigation reports, (2) Report of investigation by the audit department & (3) Reason of deduction of Tk. 45000/- only was not served since those were secret information according to the Right to Information Act, 2009 or not? And
4. Violating the direction of the Information Commission, whether the Designated Officer failed to provide information timely or not?

Analysis of information received & reason of judgement

Matter No-1 to be judged that the complaint filed by the complainant & the statement of the complainant in hearing of the commission and in respect to Memo of Information Commission bearing No-IC/Administration-23(Part-2)/2013-1015, Dated-22/05/2014 the reply submitted (That was submitted by the Designated Officer on 09/07/2014 after signing to the Information Commission) & in review of information provided by the Designated Officer dated-22.07.2014 it was found that the contractor firm of Chittagong Base Store construction namely M/s. Bhai Bhai Enterprise was issued work order to complete the work. In respect to works completed by the contractor since the authority deducted a sum of Tk. 450000/- from the bill submitted by the complainant and cause of action of the complaint was raised. The complainant filed application for several information in this regard.

The Designated Officer though provided part information in various times & dates, the complainant filed complaint mentioning the supplied information as confusing and in hearing on last 15/07/2014 the Designated Officer mentioned in his statement that the information prayed by the complainant was not specified & clear and he faced trouble to serve information as prayed for. Under this circumstance, the commission since directed the complainant to make his required information clear, the complainant

clarified his requirement as (1) Copy of 04 reports of Departmental Investigation, (2) Report of Audit Section & (3) Reason of deduction of amount 45000/- only, then the Information Commission directed the Designated Office to provide those three specified information on or before 24/07/2014. It shows that, though the application for information submitted by the complainant mentioned many information he required, on hearing by the commission dated 15/07/2014 the information sought for was specified in three issues.

Matter No-2 to be judged that, the Designated Officer Mr. Md. Nazrul Islam Misha being served no information specified sent another response signed by him of 22-07-2014. In his letter he claimed the departmental investigation report & report of audit department as secret document & such further information only to be served as reply. Being mentioning nothing regarding deduction of Tk. 45000/- only he said, though the accounts department deducted a sum of Tk. 35000/- paid the same Tk. 35,000/- in second bill. In hearing he said that the investigation report of the department & report of audit department are secret documents, hence it was not served. It shows that, on the basis of the direction passed by the Information Commission dated-15-07-2014, information was not served to the complainant since those were treated as secret information, as he claimed. This is to be mentioned that, date of filing of first ever application for information by the complainant was on last 25.08.2013, the information prayed in application though would be served under section 9(1) of Right to Information Act, 2009 and was directed to serve within next 20(twenty) working days i.e. before 22.09.2013, information was not provided.

Matter No.-3 to be judged that, committee formed to pay the bill submitted 4 departmental investigation reports & the investigation report submitted by the audit department & reason for deduction of Tk. 45000/- only was not served as information whether was secret information under Right to Information Act, 2009 or not? The providing information not mandatory according to section 7 of Right to Information was reviewed and found that the specified information directed to provide by the Information Commission was not included in exceptions under law. Rather, as per the section 2(f) of Right to Information in definition of Information mentioned Report & Accounts Statement specifically. Though the amount of deduction, the basic cause of dispute is not subject matter of Information Commission to be judged, as to why the deduction was made is right to know by the complainant. As the complainant if needed to seek remedy to competent court of law would need those documents.

In hearing, the commission asked the Designated Officer in which authority he treated three information as secret information which was directed by the Information Commission to provide, he said, as

per provisions of The Official Secrets Act, 1923 he mentioned those three information as secret information. In this regard, on review of Right to Information Act it was found that, in section 3 of Right to Information Act, 2009 said that, “the provisions of creating impediment in providing information shall be superseded by the provisions of this Act if they become conflicting with the provisions of this Act.”. So it was found that, the Right to Information Act, 2009 would be given priority to Official Secrets Act, 1923 and under section 2(f) of Right to Information Act & section 7 of Right to Information Act, 2009 the information of above three are not secret information at all.

Under this circumstance in matter No-4 to be judged it was found that, violating specified direction passed by the Information Commission the Designated Officer Mr. Md. Nazrul Islam Misha denied to serve information to the complainant showing various pleas & deprived the complainant to get information as his legal rights. The Designated Officer being served no information to the complainant created confusion by issuing of reply & created hindrances in getting information as legal rights that is punishable offence under section 27 of Right to Information Act.

Order

As the information sought for by the complainant was clear & specified & those were specified more by hearing;

As the information prayed by the complainant was not provided within 20(twenty) working days under section 9(1) of Right to Information Act, 2009;

As the restriction to serve information under section 7 of Right to Information Act, 2009 is not applicable in this case & the information sought for was specified & clear & was not secret information at all; and

As Mr. Nazrul Islam Misha, the Public Relations Officer of BIWTC & Designated Officer (RTI) being denied the direction of Information Commission served no information to the complainant as directed & deprived the complainant to get information as legal rights;

Therefore

- (A) Mr. Nazrul Islam Misha, the Public Relations Officer of BIWTC & Designated Officer (RTI) is directed to serve information to the complainant within 20(twenty) working days from passing this order by the Information Commission as early as possible.
- (B) In overall consideration of the commission, though the offence committed by Mr. Nazrul Islam Misha, the Public Relations Officer of BIWTC & Designated Officer (RTI) is a heinous crime, but the commission took the lenient view and sentenced penalty of a sum Tk. 2000/- (two thousand) only to Mr. Nazrul Islam Misha, the Public Relations Officer of BIWTC & Designated Officer (RTI) by dint of

power conferred vide section 25(11)(b) of Right to Information Act, 2009 & section 27(1)(b) & (e) of same Act. If remain dues, directed to realize under section 27(4) of Right to Information Act, 2009.

(C) The Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-8(4) of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807 and directed to submit copy of information served as directed & deposit evidences of collected money to government treasury to the Information Commission.

(D) To implement the order of Information Commission properly, the official concerned with the judicial process of the commission is directed to issue copies to the parties concerned including the Chairman of BIWTC.

Signed
(Prof. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-88/2014

Complainant: Mr. Matiur Rahman

Father-Md. Nurul Islam
Village-No.-1 Kalma
Riya Telecom
Post-Dairy Farm, Police
Station-Savar
District-Dhaka

Opposite Party: Mr. Md. Shah Alam

Information Officer
&
Designated Officer (RTI)
Bangladesh Livestock Research Institute
Savar, Dhaka-1341.

Decision Paper

(Date-29-09-2014)

Complainant Mr. Matiur Rahman filed application on 18-05-2014 to the Designated Officer (RTI) of Bangladesh Livestock Research Institute, Savar, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009:

- 1. Under the Buffalo Development Project of Bangladesh Livestock Research Institute (BLRI) under the Upazila-Savar, regions of Training & present address of trained persons & permanent address including mode of communication.**
- 2. Goods purchased under Buffalo Development Project of BLRI like as Transports, Agriculture Machineries, Lab Devices, Computer Desktop, Computer Laptop, Furniture & Books. Present condition of those goods & visit physically.**

02. Getting no information in due time, the complainant filed appeal to the Director General of Bangladesh Livestock Research Institute, Savar, Dhaka on last 06-07-2013. After filing the appeal, being found no remedy, the complainant filed complaint to the Information Commission on 24-08-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 29-09-2014.

04. On the date of hearing, complainant Mr. Matiur Rahman & opposite party Mr. Md. Shah Alam, the Information Officer of Bangladesh Livestock Research Institute, Savar, Dhaka & the Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the information prayed for was not served, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to the Information Commission.

05. The Information Officer of Bangladesh Livestock Research Institute, Savar, Dhaka & the Designated Officer (RTI) mentioned in his statement that, same information was served to the complainant by this time but the complainant did not mention in his complaint. On receipt of application for information, letter issued to the concerned Project Director to serve information prayed for. Since many of people filed application for information, it took time to prepare the information to serve them, beside that, since the information prayed for was not collected from the concerned officer in due time, hence information would not be served in time. On receipt of information from concerned officer, the Designated Officer (RTI) ensured to serve information to the complainant as directed by the Commission.

Discussion

After hearing and reviewing the submitted evidences of the complainant & the Designated Officer (RTI) it was found that, collecting information prayed by the complainant from concerned Project Director, sine the Designated Officer (RTI) ensured to serve to the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Information Officer of Bangladesh Livestock Research Institute, Savar, Dhaka & the Designated Officer (RTI) is directed to serve the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 16-10-2014.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Building (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-E-Bangla Nagar, Dhaka-1207

Complaint No-89/2014

Complainant: Elmu Nahar
Father-Kala Mia
Pahartali, Baruapara
Cox's Bazar.

Opposite Party: Mr. Md. Shahidul Islam
Assistant Commissioner (Land)
&
Designated Officer (RTI)
Cox's Bazar Sadar
Cox's Bazar.

Decision Paper
(Date-20-10-2014)

Complainant Elmu Nahar filed application by registered post on 29-04-2014 to Mr. Md. Abu Hasan Siddik, the Assistant Commissioner (Land) of Upazila Land Office, Cox's Bazar & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Copy of minutes of the meeting held to take decision for lease/allotment of Khash Land areas under Cox's Bazar District from January-December of year 2014.**
- **Copy of Names, addresses & present profession of persons who have taken decision to lease out Khash Land areas under Cox's Bazar District.**

02. The Designated Officer (RTI) since rejected the application for information by post; the complainant filed complaint to the Information Commission on 25-08-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 29-09-2014.

04. On the date of hearing, both of parties since are absent, fixing the date of hearing on 20-10-2014 summonses were issued to the complainant & Designated Officer (RTI).

05. On the date of hearing, complainant Elmu Nahar is absent. But the opposite party Mr. Md. Shahidul Islam, the Assistant Commissioner (Land) of Upazila Land Office, Cox's Bazar & the Designated Officer (RTI) is present. The Designated Officer (RTI) mentioned in his statement that, he did not receive any application for information from the complainant.

06. The Assistant Director (Training) of Information Commission informed the commission in hearing that when he contacted in the mobile number written in the complaint, the user of the phone replied that he did not file any complaint to the information commission.

Discussion

After hearing and reviewing the statement of the Designated Officer (RTI) it was found that he did not receive any application for information from the complainant. Since the application for information was not received, the Designated Officer (RTI) could not serve information prayed for. The Designated Officer (RTI) since received no application for information, the complaint seems to be disposable.

Decision

As the complainant remains absent in consecutive two hearing & Designated Officer (RTI) since received no application for information from the complainant, so, the complaint is disposed of with dismissal order.

Let the copy be served to the parties concerned.

Signed

(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed

(Nepal Chandra Sarker)
Information Commissioner

Signed

(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-90/2014

Complainant: Mr. Bappi Barua
Father-Bakul Barua
Pahartali, Baruapara Ward No-7
Cox's Bazar.

Opposite Party: Mr. Md. Echa
Manager
&
Designated Officer (RTI)
Surjer Hashi Clinic, FDSR
Rumaliar Chhara, Cox's Bazar.

Decision Paper

(Date-29-09-2014)

Complainant Mr. Bappi Barua filed application by registered post on 17-02-2014 to Office Chief & the Designated Officer (RTI), Surjer Hashi Clinic, FDSR, Rumaliar Chhara, Cox's Bazar seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **What types of services are provided to the citizens from Shurjer Hashi Clinic & in the year 2012-2013 how much patients have been provided medical services provided without pay, copy of information with list.**
- **What types of services are provided free/with cost, copy of government directions in this regard.**

02. Not getting the requested information in due time, the complainant filed appeal to the Director & Appellate Authority (RTI), Surjer Hashi Clinic, FDSR, Rumaliar Chhara, Cox's Bazar on 26-03-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 25-08-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 29-09-2014.

04. On the date of hearing, complainant & the Designated Officer (RTI) are absent. The complainant & the Designated Officer (RTI) filed application to the Information Commission. The complainant received the information he prayed for, mentioned in letter. Presently, since the complainant has no more complaint filed application to settle the complaint. The Designated Officer (RTI) expressed his sorrow for late delivery of information & requested to settle the complaint.

Discussion

After reviewing the submitted letters & evidences of the complainant & the Designated Officer (RTI) it was found that the information prayed by the complainant was served. The complainant since received information prayed for & since requested to settle the complaint, the complaint seems to be disposable.

Decision

As the complainant received information prayed for and requested to settle the complaint, so, the complaint is disposed of with the permission of revoking the complaint.

Let the copy be served to the parties concerned.

Signed

(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed

(Nepal Chandra Sarker)
Information Commissioner

Signed

(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-91/2014

Complainant: Mr. Delawer Bin Siraj
Father-Late Hazi Siraj Uddin
2/2R. K. Mission Road (Gift Valley)
2nd Floor, Dhaka-1203.

Opposite Party: Mr. Palash Dash Gupta
Assistant General Manager
&
Designated Officer (RTI)
Basic Bank Ltd.
Head Office
Sena Kallyan Bhaban
11th Floor
Motijheel C/A, Dhaka-1000.

Decision Paper

(Date-29-10-2014)

Complainant Mr. Delawer Bin Siraj under filed application on 12-08-2014 to Mr. S. M. Anisuzzaman, the Assistant General Manager of Basic Bank Ltd., Head Office & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. Application on which Mr. Md. Ruhul Alam (i) appointed as the Deputy General Manager and attested photocopies of academic certificates & experience certificates submitted as supporting documents. (ii) Photocopy of decisions of Governing Body in respect to appointment as Deputy General Manager, General Manager & Deputy Managing Director & promotions in those posts.**
- 2. From 1st January to 31st December of year 2013, name, address & amount of payment paid to receivers in CSR Head in written form.**
- 3. Names & address of receivers of amount paid in the year 2013 as (1) Display, (2) Sponsor from Public Relations Division of Basic Bank Ltd. in written form.**

02. The Designated Officer (RTI) since rejected to receive the application for information, the complainant filed complaint to the Information Commission, without submitting the appeal, on 31-08-2014.

03. Agenda was discussed in the meeting of Commission on 15-09-2014. Pursuant to the decision of meeting fixing the date of hearing regarding the complaint on 29-09-2014 as per the provision of section 25(1) & (2) and 13(1) of Right to Information Act, 2009 issued summonses to the concerned parties.

04. On the date of hearing, complainant is present. The Designated Officer (RTI) is absent without showing any cause, then fixing the date of hearing on 20-10-2014 issued summonses to the complainant & the Designated Officer (RTI).

05. On the date of hearing, complainant is present. The Designated Officer(RTI) is absent without showing any cause, then fixing the date of hearing on 29-10-2014 issued summonses to the complainant & the Designated Officer (RTI) for the last time.

06. On the date of hearing, complainant Mr. Delawer Bin Siraj & opposite party Mr. Palash Das Gupta, the Assistant General Manager of Basic Bank Ltd., Head Office & the Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01 but he did not receive the application for information. Then being file no appeal, he filed complaint to the Information Commission.

07. The Assistant General Manager of Basic Bank Ltd., Head Office & the Designated Officer(RTI) mentioned in his statement that, the Designated Officer (RTI) previously was in charge since was transferred and the post of Designated officer (RTI) remained vacant for few days, no Designated Officer (RTI) could not attend in hearing of last dates. He is appointed as the Designated Officer (RTI) on last 22-10-2014. The Designated Officer (RTI) previously posted rejected the application for information with what reason, he does not know. There is one specified section already to receive application for information, the applicant could file his application for information to that section. In respect to previous complaint No.-47/2014, as per direction of the commission, directed to serve information of six months out of prayed information of last 5 years, information January-June/2014 was provided to the complainant. He filed application for information again seeking for same information of year 2013. The information sought for by the complainant repeatedly & found personal, could not be provided information to the complainant.

8. In respect to statement of the Designated Officer (RTI), the complainant informed that, on hearing of complaint No.-47/2014 by the Information Commission, basis to the decision passed by the commission served information of January-June/2014. On the basis of received information, he filed application for information seeking for information of year 2013.

Discussion

Application for appointment as the Deputy General manager and academic certificates & decisions of Governing Body respect to appointment as Deputy General Manager, General Manager & Deputy Managing Director & promotions in those posts under no circumstance be treated as secret information under Right to Information Act. Rather those are officially declared & accepted information. On other hand, grants of CSR Head also information might be served under Right to Information Act, 2009 & it shows the transparency & accountability of an organization. Hence the information prayed by the complainant since are not secret or private information, the commission opined to serve information to the complainant as prayed for, the Designated Officer (RTI) ensured to serve the information sought for by the complainant as directed by the Information Commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Assistant General Manager of Basic Bank Ltd., Head Office & Designated Officer (RTI) is directed to serve information within next 20 working days subject to pay the cost of information.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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Fax-088 02 9110638

Complaint No – 92/2014

Complainant: **Mr. Md. Abdur Rashid**

Father-Md. Yad Ali Mridha
House No.-18, Road No.-3/A
Sector-9, Uttara
Dhaka.

Opposite Party: **1. Mr. Md. Shahidur Rahman**

Director General
& Appellate Authority (RTI)
Water Development Board, WAPDA Bhaban
Motijheel C/A, Dhaka-1000.

2. Chief Monitoring

& Designated Officer (RTI)
Water Development Board, WAPDA Bhaban
Motijheel C/A, Dhaka-1000.

Decision Paper

(Date-20-10-2014)

Complainant Mr. Md. Abdur Rashid filed complaint to the Information Commission against Mr. Md. Shahidur Rahman, the Director General, Water Development Board, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 on 31-08-2014 in respect to complaint No-61/2014. In the complaint he mentioned that, on hearing of complaint No.-61/2014, respect to decision passed by the commission, Director General of Water Development Board served no information till date. Then he filed complaint to the information commission to receive information he prayed for.

02. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 29-09-2014.

03. On the date of hearing, complainant Mr. Md. Abdur Rashid is present, Mr. Md. Syed Alam Tipu, the Legal Advisor of Water Development Board for & on behalf of Mr. Md. Shahidur Rahman, the Director General & Appellate Authority (RTI) is present. The Complainant mentioned in his statement that, respect to decisions passed by the commission after hearing on complaint No-61/2014, the Director General of Water Development Board since served no information as he prayed for, filed complaint to the Information Commission. In respect to file of complaint, the information served to him is not satisfactory. Then he filed complaint to the Information Commission to take action in getting complete & correct information as he prayed for.

05. Mr. Mr. Syed Alam Tipu, the Legal Advisor of Water Development Board mentioned in his statement that, due no insufficient knowledge regarding Right to Information Act, 2009 Designated Officer

(RTI) appointed earlier not under the law, but in respect to hearing on complaint No-61/2014 and decisions passed by the Information Commission Chief Monitoring, Water Development Board, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 is appointed as the Designated Officer of Water Development Board on 10-09-2014 & information sought for by the complainant served to him. Audit objection was filed against the complainant and his complexity in pension would be resolved on settlement of audit objection. Earlier letter was issued to the complainant in respect to audit objection but the complainant since served no reply, objection was not yet settled.

06. In respect to the statement of learned Legal Advisor; the complainant informed that, he did not receive any letter regarding audit objection filed against him, hence no reply was served timely. The then Executive Engineer involved with audit objection is enjoying pension facility. Audit objection is relevant to rent collection of Instrument. After his retirement, huge amount of rent was collected by this time. The objection is relevant to a department & two of executive engineers were charged in his office who were key responsible for the charge. He was then in charge of Assistant Engineer & though he was not appointed as disbursement officer, the audit objection raised against him whether is legal or not, he expressed his doubt in this regard.

07. Mr. Mr. Syed Alam Tipu, the Legal Advisor of Water Development Board also agreed that the then Executive Engineer was involved with audit objection is enjoying pension facilities. Settle of audit objection is responsibility of concerned department, information prayed in complaint No-61/2014 & 81/2014 if served to him, he could know about audit objection filed against the complainant and would take necessary action to settle the audit objection and the receiving of pension facility would be expedited the commission opined. The then Executive Engineer though involved with the audit objection enjoying pension facilities but the complainant though is not involved with audit objection remains deprived from pension facility, so, in view of resolving the audit objection, commission directed the Learned legal Advisor to serve information to the complainant sought for in complaint No.-61/2014 & 81/2014 filed in the Information Commission, he ensured to serve information as prayed for.

Discussion

After hearing and reviewing the submitted evidences of both the complainant & the opposite party it was found that, the information served to the complainant was not satisfactory to him. Basis to decisions passed by the commission on hearing of complainant No. 61/2014 & 81/2014 filed by the complainant regarding same subject matter, the Legal Advisor of Water Development Board for & on behalf of Designated Officer (RTI) & the Legal Advisor since ensured to serve information sought for by the complainant and as directed by the Information Commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. On the basis of the decisions passed by the commission on hearing of complainant No. 61/2014 & 81/2014 filed by the complainant regarding same subject matter, Chief Monitoring & the Designated

Officer (RTI), Water Development Board, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 is directed to serve information to the complainant within next 20 working days subject to pay the cost of information.

2. The Director General, Office of the Director General, WDB, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 is directed to serve information prayed by the complainant & appoint Designated Officer (RTI) in all information delivery units under Water Development Board under Section 10 of Right to Information Act, 2009 and to send the copy of appointment to the information commission.
3. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-93/2014

Complainant: Mr.Md. Abdul Hoque

Father- Haji Md. Abdul Hakim
Harua East Fishery Road
Kishoregonj

Opposite Party: Mr. Md. Golam Jakaria,

Assistant Commissioner (Land)
&
Designated Officer(RTI)
Katiadi, Kishoregonj.

Decision Paper

(Date: 29-09-2014)

The complainant, Mr. Md. Abdul Hoque lodged petition on 05-05-2014 to Mr. Md. Golam Zakaria, Assistant Commissioner (Land) and Designated Officer (RTI), Katiadi, Kishoregonj seeking for the following information according to the section 8(1) of Right to Information Act, 2009-

- **In the matter of filling Hidelchori Canal, Md. Musleh Uddin including 133 persons applied to the Upazila Nirbahi Officer, Katiadi on 29-08-2012, of which Diary No. 786, the Upazila Nirbahi Officer, Katiadi directed to the Assistant Commissioner (Land), Katiadi, vide Ref. No. A/Kati/574, dated: 05-09-2012. In the above mentioned matter, by the Musleh Uddin and others submitted, after filling Hidelchari canal with the Banagram Union, pond digging related complaint's photocopy is attached herewith. The matter after directly investigation for the purpose of giving opinion. The said opinion and report's photocopy.**

02. period, after Not getting the prayed information within the fixed time, the complainant submitted appeal to S.M. Alam, Deputy Commissioner and Appellate Authority(RTI), Kishoregonj on 27-07-2014. After submission of appeal application letter was issued on the dated 07-08-2014 vide Ref. No. 05.41.4800.016.01.002.13-57 to the complainant suggesting file appeal to the concerned authority. As the appeal authority being right, the complainant submitted complaint to the Information Commission on 31-08-2014.

03. The matter was discussed in the meeting of commission on 15-09-2014. According to the decision of the meeting summonses were issued to the relevant parties fixing the date of hearing on 29-09-2014.

04. On the date of hearing the complainant Md. Abdul Hoque appeared. But the opposite party Md. Golam Zakaria, Assistant Commissioner (Land) and Designated Officer, Katiadi, Kishoregonj did not appear. The complainant mentioned in his submission that according to the Right to Information Act, 2009 he filed petition to the Designated Officer (RTI) seeking for the information in the Paragraph No. 01. Not getting

information, he submitted appeal application to the Appellate Authority (RTI). Being found no remedy even submission of appeal the complaint submitted complaint to the Information Commission.

05. As the Upazila Nirbahi Officer, Katiadi, directed the Assistant Commissioner after filling up Hidelchori Canal, pond digging related complaint's matter for investigation and the Assistant Commissioner after investigation, his opinion will give to the Upazila Nirbahi Officer. As such, not to the Assistant Commissioner (Land), to the Upazila Nirbahi Officer would be right to application for information according to the Right to Information Act, 2009. In such kinds of remarks of the Commission, the complainant informed that he would submit petition to right Designated Officer (RTI).

Discussion

After hearing the statements of the complainant and reviewing the submitted evidences it was found that the complainant did not file petition for information to the right Designated Officer (RTI), Upazila Nirbahi Officer, Katiadi. As the complainant will apply to the right Designated Officer (RTI) for information, so, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following direction:

1. The complainant is directed to submit application for information to the Upazila Nirbahi Officer, Katiadi.

Let the copy be sent to the concerned parties.

Signed
(Prof.Dr.Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No-94/2014

Complainant: Mr. Md. Saiz Uddin

Father-Md. Chan Mia
Village-Naga, Post-Ipma
Police Station-Gazipur Sadar
District-Gazipur.

Opposite Party: Binita Rani

Assistant Commissioner (Land)
&
Designated Officer (RTI)
Gazipur Sadar, Gazipur.

Decision Paper

(Date-20-10-2014)

Complainant Mr. Md. Saiz Uddin filed application on 16-03-2014 to the Assistant Commissioner (Land) of Gazipur Sadar & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. As the loyal citizen of Bangladesh; want to know information regarding DCR Rents & Cost of Mutation relevant information for land areas under Gazipur Sadar from B.S. 1402 to B.S. 1420 under section 8(1) of Right to Information Act, 2009.**
- 2. Within how many days mutation & separation of lands are completed without bribe, corruption & harassment.**
- 3. Methodology to recovery of missing file of mutation (for second time) from office of the Assistant Commissioner (Land) Sadar, Gazipur (bearing Case No.-2251, Gazipur Municipal area-01-12-2013)?**

02. Being received application for information, Mr. Md. Abdus salam, the Assistant Commissioner (Land) of Gazipur Sadar & Designated Officer (RTI) served information to the complainant vide Memo No.-ULO/Gazi/Sadar/14-2624 (illegible) Dated-15-04-2014. Basis to information served to him, the complainant proceeded to pay rents but rents was not received as per information served to him, then he informed it in written form to the Assistant Commissioner (Land) of Gazipur Sadar. The Assistant Commissioner (Land) of Gazipur Sadar since gave no remedy, the complainant filed appeal to the Deputy Commissioner & Appellate Authority (RTI), Gazipur. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 31-08-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 29-09-2014.

04. On the date of hearing complainant Mr. Md. Saiz Uddin is absent and the attorney of Designated Officer (RTI) Mr. Md. Abu Taleb since is present, fixing the date of hearing on 20-10-2014 issued summonses to the complainant & Designated Officer (RTI).

05. On the date of hearing complainant Mr. Md. Saiz Uddin and opposite party Binita Rani, the Assistant Commissioner (Land) of Gazipur Sadar & Designated Officer (RTI) are present. The Complainant mentioned in his statement that he received information served by the Designated Officer (RTI). But rents as per information is not receiving. He when moved to pay rents for his lands area claimed a sum more than amount Tk. 01(one) lac from B.S. 1389, that is not correct. He informed that, he has already paid rents up to the year 1995.

06. The Assistant Commissioner (Land) of Gazipur Sadar & Designated Officer (RTI) mentioned in her statement that the information prayed by the complainant is served. The land area of the complainant since situated under City Corporation Region, those are not agricultural land at all. This is why the land development tax for lands of complainant up to year 1379 is fixed at sum Tk. 98000/- only.

07. Under Public Demand Recovery Act, fixing the rents for land areas of complainant should assist the complainant to be clear in this regard, the commission reached in this conclusion and the Designated Officer (RTI) consented to it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant & Designated Officer (RTI) it was found that the Designated Officer (RTI) served information to the complainant as prayed for. As per demand of complainant, land development tax if paid up to year 1995, fixing the demand from complainant under Public Demand Recovery Act & the Designated Officer (RTI) since ensured to collect the amount genuine from the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Assistant Commissioner (Land) of Gazipur Sadar & Designated Officer (RTI) since ensured to collect the amount genuine from the complainant under Public Demand Recovery Act, the complaint is disposed of.
2. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-95/2014

Complainant: Mr. Shahidul Islam Shahid
Father-Late Shafiuddin Ahmed
Panchagarh Correspondant
Daily Prothom Alo
Dokropara, Panchagarh.

Opposite Party: Mr. Abdullah Al Masum
Sub-Registrar
&
Designated Officer (RTI)
Upazila Sub-Registry Office
Tetulia, Panchagarh.

Decision Paper

(Date-20-10-2014)

Complainant Mr. Shahidul Islam Shahid filed application on 27-05-2014 to the Sub-Registrar & Designated Officer(RTI), Upazila Sub-Registry Office, Tetulia, Panchagarh seeking for the following information under section 8(1) of Right to Information Act-2009-

- **Names of purchasers of land area whether individual/company purchased land areas from 01st July 2013 to 28th May, 2014 and duly registered with Upazila Sub-Registry Office, Tetulia, Panchagarh including addresses & area of lands.**

02. Not getting the required information in due time, the complainant filed appeal to Mr. Md. A. Rashid, the District Registrar & Appellate Authority (RTI), Panchagarh on 06-07-2014. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 30-09-2014.

03. Agenda was discussed in the meeting of the Commission on 15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-09-2014.

04. On the date of hearing complainant is absent and the opposite party Designated Officer (RTI) remains absent also, fixing the date of hearing on 20-10-2014 issued summons to the complainant & Designated Officer (RTI).

05. On the date of hearing complainant Mr. Shahidul Islam Shahid is absent but the opposite party Abdullah Al Masum, the Sub-Registrar & Designated Officer (RTI), Upazila Sub-Registry Office, Tetulia, Panchagarh is present. The Designated Officer (RTI) mentioned in his statement that, he did not receive any application for information from the complainant, hence information was not served. Moreover, under section 108 of Registration Regulations 1973, the complainant if file application for information, he ensured

to serve information as prayed for. The complainant filed application for exemption of paying fee under regulations aforesaid and under Right to Information Act.

Discussion

After hearing and reviewing the submitted evidences of Designated Officer (RTI) it was found that the Designated Officer (RTI) did not receive any application for information from the complainant, hence no information was served. Moreover, section 3(ka) of Right to Information Act, 2009 is applicable in this case, the Designated Officer (RTI) since ensured to serve information if the complainant file application for information under section 108 of Registration Regulation 1973, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The complainant is directed to file application for information to the Designated Officer (RTI) & Sub-Registrar, Tetulia, Panchagarh under section 108 of Registration Regulations 1973.
2. On receipt of application for information under Registration Regulations 1973, the Sub-Registrar & Designated Officer (RTI), Upazila Sub-Registry Office, Tetulia, Panchagarh is directed to serve information to the complainant as prayed for.
3. Both parties are instructed to inform the Information Commission after implementation of directions.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information
Commissioner

Information Commission

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

Complaint No-96/2014

Complainant: Mr. Syed Majibur Rahman
Father-Syed Syeduzzaman
235, North Shahjahanpur
Dhaka-1217.

Opposite Party: Rawshan Ara Jaman
Chief Psychiatric & Director
(Non-cadre & others)
&
Designated Officer (RTI)
Bangladesh Public Service
Commission
Agargaon, Dhaka.

Decision Paper

(Date-30-09-2014)

Complainant Mr. Syed Majibur Rahman filed application by registered post on 09-07-2014 to Mr. Niyamat Ullah, the Director of Bangladesh Public Service Commission (BCS Examination Section) & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- a) **One set of attested true copy of letter comprising decisions regarding enlistment of the name of Mr. Syed Shahidur Rahman in EED seniority to the Secretary of Ministry of Education from 01-01-2009 to till date by EED Assistant Engineers Seniority List finalization committee under PSC (Photocopy).**
- b) **One set of attested true copy of replies of demand notice of the standing committee, letters issued from the Ministry of Education & information attached in annexures and send to PSC standing committee (Photocopy).**
- c) **One set of attested true copy of decisions in this regard stored in file of PSC Member-5 and resolution of meetings of standing committee (Photocopy).**

02. In respect to application for information, Mr. Niyamat Ullah, the Director (BCS Examination Section) of Bangladesh Public Service Commission & the Designated Officer (RTI) issued letter rejecting the application for information. Later on being found no information as prayed for, the complainant filed appeal to Mr. A K M Amir Hossain, the Secretary of Bangladesh Public Service Commission & Appellate Authority on 14-08-2014 by registered post. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 07-09-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing On 30-09-2014.

04. On the date of hearing complainant Mr. Syed Majibur Rahman & the opposite party Rawshan Ara Jaman, the Chief Psychiatric & Director (Non-cadre & others) of Bangladesh Public Service Commission & the Designated Officer (RTI) are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the information prayed for was not served, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to the Information Commission.

05. The Chief Psychiatric & Director (Non-cadre & others) of Bangladesh Public Service Commission & the Designated Officer (RTI) mentioned in her statement that, she was appointed as Designated Officer (RTI) of Non-cadre & others section on 24-09-2014 last. She just received documents relevant to complaint. One person filed application for information for & on behalf of other one. Information of one official would not be served to other person.

06. Reference to the statement of Designated Officer (RTI), the complainant informed that in the application for information is relevant to Mr. Syed Shahidur Rahman who is own brother of the complainant and he is also present in hearing. Brother of complainant said, he has no objection if information relevant to him served to the complainant.

07. Information would be served on approval of relevant party. The complainant is seeking for information regarding his own brother who is present in hearing, the commission reached in conclusion that, on the basis of approval of relevant party information would be served & the Designated Officer (RTI) ensured to serve information as prayed for after reviewing the documents & files relevant & on the basis of the decision of Public Service Commission.

Discussion

After hearing and reviewing the submitted evidences of the complainant & the opposite party it was found that the Designated Officer (RTI) since just was appointed as Designated Officer (RTI) in Non-cadre & others section, information was not served in due time. The Designated Officer (RTI) since ensured to serve information to the complainant as prayed for, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Chief Psychiatric & Director (Non-cadre & others) of Bangladesh Public Service Commission & the Designated Officer (RTI) is directed to serve the information sought for by the complainant subject to pay the cost of information on or before 26-10-2014.

2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

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

Complaint No-97/2014

Complainant: Mr. Syed Majibur Rahman
Father-Syed Syeduzzaman
235, North Shahjahanpur
Dhaka-1217.

Opposite Party: Mr. Md. Akhtaruzzaman
Senior Assistant Secretary
(Coordination & Parliament)
&
Designated Officer (RTI)
Ministry of Education, Bangladesh
Secretariat, Dhaka.

Decision Paper
(Date-30-09-2014)

Complainant Mr. Syed Majibur Rahman filed application by registered post on 09-07-2014 to Mr. Md. Akhtaruzzaman, the Senior Assistant Secretary (Coordination & Parliament) of Ministry of Education & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- a) **One set of attested true copy of letter comprising decisions regarding enlistment of the name of Mr. Syed Shahidur Rahman in EED seniority to the Secretary of Ministry of Education from 01-01-2009 to till date by EED Assistant Engineers Seniority List finalization committee under PSC (Photocopy).**
- b) **One set of attested true copy of replies of demand notice of the standing committee, letters issued from the Ministry of Education & information attached in annexure and send to PSC standing committee (Photocopy).**
- c) **One set of attested true copy of decisions in this regard stored in file of PSC Member-5 and resolution of meetings of standing committee (Photocopy).**

02. In respect to application for information, Mr. Md. Akhtaruzzaman, the Senior Assistant Secretary (Coordination & Parliament) of Ministry of Education & the Designated Officer (RTI) issued letter to Deputy Secretary (Wing-22) of Ministry of Education to serve information, as the information sought for is not available to his office on 14-07-2014. Information since was not served from aforesaid department, the Designated Officer (RTI) issued a reminder letter on 12-08-2014. Then the complainant being received no information as prayed for filed appeal to Dr. Md. Sadik, the Secretary of Ministry of Education & Appellate Authority (RTI) on 14-08-2014 by registered post. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 07-09-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-09-2014.

04. On the date of hearing complainant Mr. Syed Majibur Rahman & the opposite party Mr. Md. Akhtaruzzaman, the Senior Assistant Secretary (Coordination & Parliament) of Ministry of Education & the Designated Officer (RTI) and Sayma Younus, the Deputy Secretary (Wing-22) of Ministry of Education are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the information prayed for was not served, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to the Information Commission.

05. The Senior Assistant Secretary (Coordination & Parliament) of Ministry of Education & the Designated Officer (RTI) mentioned in his statement that, he issued letter to Deputy Secretary (Wing-22) of Ministry of Education on 14-07-2014 to serve information, as the information sought for is not available to his office. Information since was not served from aforesaid department, the Designated Officer (RTI) issued a reminder letter on 12-08-2014. The information since was not served from concerned department, the Designated Officer (RTI) could not serve information to the complainant as prayed for. On receipt of information from concerned department, information would be served, he informed.

06. Sayma Younus, the Deputy Secretary of Ministry of Education mentioned in her statement that, information was not served timely since she was absent due to participate in training. On review of documents & files relevant & available to her office may serve information as prayed for, she said.

Discussion

After hearing and reviewing the submitted evidences of the complainant & the opposite party it was found that, the Designated Officer (RTI) issued letter to concerned department to serve information, as information sought for by the complainant was not available to his office. The information since was not served from concerned department, the Designated Officer (RTI) could not serve information to the complainant as prayed for. On receipt of information from concerned department, information would be served, he ensured.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Sayma Younus, the Deputy Secretary (Wing-22) of Ministry of Education is directed to serve information to the Designated Officer (RTI) as prayed by the complainant.
2. The Senior Assistant Secretary (Coordination & Parliament) of Ministry of Education & the Designated Officer (RTI) is directed to serve the information sought for by the complainant subject to pay the cost of information on or before 26-10-2014.
3. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.

4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-98/2014

Complainant: Tulshi Rani Munda
Father-Fulchand Munda
Village-Dhumghat,
Post Office-Dhumghat
Ishwaripur, Shyamnagar
Satkhira.

Opposite Party: Mr. Abul Hossain
Secretary
&
Designated Officer (RTI)
No-8 Ishwaripur Union Council
Shyamnagar, Satkhira.

Decision Paper

(Date-20-10-2014)

Complainant Tulshi Rani Munda filed application by registered post on 27-05-2014 to Mr. Abul Hossain, the Secretary & the Designated Officer (RTI), No-8 Ishwaripur Union Council, Shyamnagar, Satkhira seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Which services provided to the public from Union Council without pay, list comprising names of services.**

02. Not getting the requested information within the fixed time, the complainant filed appeal to Mr. Md. Md. Samed Ali, Chairman & Appellate Authority (RTI), No-8 Ishwaripur Union Council, Shyamnagar, Satkhira on 27-07-2014 by registered Post. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 09-09-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-09-2014.

04. On the date of hearing complainant Tulshi Rani Munda & the opposite party the Designated Officer (RTI) since remained absent, fixing the date of hearing on 20-10-2014 issued summonses to the complainant & Designated Officer (RTI).

05. On the date of hearing both the complainant & Designated Officer (RTI) are absent. The complainant filed an application to the information commission that she received the information prayed for. Presently she has no complaint in this regard and requested to withdraw the complaint. The Designated Officer (RTI) issued a letter to the Information Commission that he served information to the complainant as prayed for.

Discussion

After reviewing the submitted letters of both the complainant & the Designated Officer (RTI) it was found that the information served to the complainant as prayed for. The complainant received information she prayed for & since requested to withdraw the complaint, the complaint seems to be disposable.

Decision

As the complainant received information she prayed for & since requested to withdraw the complaint, so, the complaint is disposed of with the permission of revoking the complaint.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-99/2014

Complainant: Mr. Mohammad Sakhawat Hafiz	Opposite Party: Upazila Project Implementation Officer
Father-Mohammad Hafiz	&
Village-Chandsar	Designated Officer (RTI)
Post Office-Ziapur	Burichong, Comilla.
Burichong, Comilla.	

Decision Paper

(Date-30-09-2014)

Complainant Mr. Mohammad Sakhawat Hafiz filed application by registered post on 12-06-2014 to Upazila Project Implementation Officer of Burichong Upazila under District-Comilla & the Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Names of projects implemented in entire Burichong Upazila under kabita, Kabikha, TR, GR & LGSP projects from 1st January 2014 to 31st May 2014, list of committees including cost and project wise estimate.**

02. Not getting the requested information within the fixed time, the complainant filed appeal to District Relief & Rehabilitation Officer of Comilla District & Appellate Authority on 15-07-2014. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 09-09-2014.

03. Agenda was discussed in the meeting of Commission on 15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30-09-2014.

04. On the date of hearing complainant Mr. Mohammad Sakhawat Hafiz & Mr. Pabitra Chandra Mondal, the Upazila Project Implementation Officer of Brahmanpara Upazila under Comilla District are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, he filed complaint to the Information Commission.

05. Mr. Pabitra Chandra Mondal, the Upazila Project Implementation Officer of Brahmanpara Upazila under Comilla District mentioned in his statement that presently he is working as the Upazila Project Implementation Officer of Brahmanpara Upazila under Comilla District. The complainant filed application for information when he was in charge of Burichong Upazila. Collecting & preparing information directed to

deposit the amount of fee orally, the complainant since did not collect the information paying the cost of information could not serve information as prayed for. The present Upazila Project Implementation Officer of Burichong Upozila under Comilla District & Designated Officer (RTI) if directed to serve information, he ensured to assist all aspect to serve information to the complainant as prayed for through the present Designated Officer (RTI).

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the Designated Officer (RTI) prepared information to serve the complainant. Then since he transferred to another working station, could not serve information to the complainant timely. Since he prepared information to serve the complainant, the commission reached in conclusion to direct the Upazila Project Implementation Officer of Burichong Upazila under Comilla District & the Designated Officer (RTI) to serve information to the complainant. Former Designated Officer (RTI) through present Upazila Project Implementation Officer of Burichong Upazila under Comilla District & the Designated Officer (RTI), since ensure to serve information to the complainant as prayed for, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The present Upazila Project Implementation Officer of Burichong Upazila under Comilla District & the Designated Officer (RTI) is directed to serve the information sought for by the complainant subject to pay the cost of information on or before 15-10-2014.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-100/2014

Complainant: Mr. Md. Rasel Dhali
Father-Younus Dhali
Village-Chandaldhul,
Post-Ichhapur
Upozila-Sirajdikhan
District-Munshiganj.

Opposite Party: Director
&
Designated Officer (RTI)
Divisional Family Planning Office
Dhaka Division, Azimpur
Dhaka-1205.

Decision Paper

(Date-30-09-2014)

Complainant Mr. Md. Rasel Dhali filed application on 06-05-2014 to the Director & the Designated Officer (RTI), Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka-1205 seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. 15 candidates appointed as Family Planning Inspector Union basis under Munshiganj District on 15-12-2013, out of them whether there is any candidate appointed from residents of orphanage & physically disabled or not? Under this quota, if appointed then how much? Their roll & if physically disabled, then what type of disability?**
- 2. Rights to gain information under Right to Information Act, Memo No.-DFP/Mun/14/120, Dated-24-03-2014 and information regarding appointment out of total 3870 posts how many appointed as Family Planning Inspector as appointed in 3rd & 4th class staffs under the Directorate of Family Planning vide reference No. a) DoFP/Admin-1/Appointment-211/2013/725 Dated-20-03-2014, b) 8(New Recruit)-21/2013/180(5) Dated-23-03-2014?**
- 3. Out of total 3870 appointments, how many were appointed in quota of resident of orphanage & physically disabled as Family Planning Inspector?**
- 4. Out of total 3870 appointments, how many were appointed in quota of resident of orphanage individually & how many were in quota of physically disabled as Family Planning Inspector?**
- 5. Out of total 3870 appointments, how many candidates were appointed in the posts of Family Planning Assistant, Family Welfare Assistant (Female) & Maid (Female). Out of them whether appointed in quota of residents of orphanage & physically disabled?**
- 6. How much mark I obtained bearing roll No-2400047 in examination held on last 21-06-2013 for appointment in the post of Family Planning Inspector under District Family Planning Office, Munshiganj.**

- 7. Marks obtained in written & Viva-Voce examination by 15 candidates appointed in the post of Family Planning Assistant on last 15-12-2013 under District Family Planning Office, Munshiganj bearing Roll No.-2400016, 2400017, 2400018, 2400030, 2400032, 2400045, 2400070, 2400094, 2400095, 2400096, 2400112, 2400124, 2400132, 2400139, 2400214 are how much?**
- 8. Out of total 3870 appointments, whether 10% quota for residents of orphanage & physically disabled is filled or not? If not filled, as to why was not filled humbly pray to inform to your honor.**

02. Not getting the requested information within fixed time, the complainant filed appeal to Director General & Appellate Authority (RTI), Directorate of Family Planning, 6, Kawran bazar, Dhaka-1215 on 20-08-2014 by registered post. After filing the appeal, being found no remedy, he filed complaint to the Information Commission on 11-09-2014.

03. Agenda was discussed in the meeting of Commission dated-15-09-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing regarding the complaint on dated-30-09-2014.

04. On the date of hearing complainant Mr. Md. Rasel Dhali & Gazi Md. Meer Mostafa Kamal, the Deputy Director (Family Planning) for & on behalf of opposite party Designated Officer (RTI) of Munshiganj are present. The Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate authority (RTI). After filing of appeal, the Designated Officer (RTI) issued notice of inability. Then he filed complaint to the Information Commission.

05. The complainant is a physically disabled person, hence he can not appear in hearing of commission repeatedly, in this special consideration hearing is taken only for Deputy Director (Family Planning) for & on behalf of opposite party Designated Officer (RTI) of Munshiganj . The Deputy Director (Family Planning) for & on behalf of Designated Officer (RTI) of Munshiganj mentioned in his statement that, with direction of Director & Designated Officer (RTI) he appeared in the hearing of commission. He was the member secretary of appointment examination held. All procedure of appointment examination completed from office of the Directorate. The Directorate prepared question paper for examination they only responsible to take examination & forward result of written examination to the Directorate. On the basis of the direction of Directorate taken Viva-Voce examination & send the result of Viva-Voce examination to the Directorate. Appointment letters issued from Divisional Office. The Director General of Family Planning Directorate & the Director (Administration) can assist to serve information, he said.

06. The commission reached in conclusion to pass order to Director & Designated Officer (RTI), Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka-1205 to collect information from Director (Administration) of Family Planning Directorate and take necessary action to serve information to the complainant as prayed for.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and Designated Officer (RTI) it was found that the information sought for by the complainant is available to Director (Administration) of Directorate of Family Planning & the commission reached in conclusion to pass order to Director & Designated Officer (RTI), Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka to collect information from that office and serve that to the complainant as prayed for.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Director & Designated Officer (RTI), Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka is directed to serve information to the complainant collecting from Director (Administration), Directorate of Family Planning and assist in this regard.
2. The Director & Designated Officer (RTI), Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka-1205 is directed to serve the information sought for by the complainant subject to pay the cost of information on or before 26-10-2014.
3. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code No-1-3301-0001-1807.
4. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

Archaeology Building (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-e-Bangla Nagar, Dhaka-1207

Complaint No: 101/2014

Complainant: Mr. M. Foyzul Islam
House-69, Tejkunipara
Tejgaon, Dhaka-1215.

Opposite Party: Mr. Khan Mosharrof Hossain
General Manager Public Relation
&
Designated Officer (RTI)
Biman Bangladesh Airlines Ltd.
Head Office, Balaka, Kurmitola,
Dhaka-1229.

Decision Paper (Date: 30-09-2014)

The complainant Mr. M. Foyzul Islam lodged petition on 03-07-2014 to Mr. Khan Mosharrof Hossain, General Manager, Public Relation and Designated Officer (RTI), Biman Bangladesh Airlines Limited, Head Office, Balaka, Kurmitola, Dhaka-1229, seeking for the following information according to section-8(1) of Right to Information Act, 2009:

According to letter ref: DCPR/Information-2009/03/2014/1510, dated: 06th June, 2014 of Biman Bangladesh Airlines Limited, Mr. M. Fozul Islam, P-31400, Ex Flight Engineer.

- a) Average Tk. 3,66,085.00 of basic salary obtained in 12 months of before taking retirement on 22.05.2011.
- b) Grand total duration of service-31 years, 06 months, 23 days.
- c) Account of obtained gratuity at the rate of 03 years in a year $46,295.55 \times 32 \times 03 =$ Tk. 44,44,372.80.

“Mentionable, according to administrative order number-02/2009 and MoU signed between Biman and FENA according to average basic salary earned on 31st August, 2008 by fixing basic Tk. 46,295.55 for Mr. M. Foyzul Islam, P-31400 the final account of Mr. M. Foyzul Islam, Flight Engineer has been settled”

According to Right to Information Act, 2009 as a former officer and citizen of Bangladesh I sought information by the way of last paragraph quoted the above mentioned letter-

By dint of power of administrative order number-02/2009 and given specifically in which sentence or sentences of specifically any paragraph or paragraphs of MoU signed Biman and FENA according to average basic salary earned on 31st August, 2008 by fixing basic salary Tk. 46,295.55 of Mr. M. Foyzul Islam, P-31400 the final account of Mr. M. Foyzul Islam, Flight Engineer has been settled.

02. Having not found desired information within fixed time the complainant appealed to A. M. Mosaddik Ahmed, Managing Director and CEO and Appellate Authority (RTI), Biman Bangladesh Airlines Ltd, Head Office, Balak, Kurmitola, Dhaka-1229 on 24.08.2014. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 11.09.2014.

03. The matter was discussed in the meeting on 15.09.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.09.2014.

04. On fixed date of hearing the complainant Mr. M. Foyzul Islam and the opposite party on behalf of General Manager, Public Relation and Designated Officer (RTI), Biman Bangladesh Airlines Ltd, Head Office, Balaka, Kurmitola, Dhaka-1229, Learned Advocate Mr. Ataur Rahman appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for the information mentioned in paragraph no.01. Having not found any remedy he submitted appeal to the Appellate Authority (RTI). Not getting any remedy even submission of appeal he submitted complaint to the Information Commission. Subsequently he found few information, but that is not correct. It was needed to calculate the gratuity according to account of average salary of last salary during service. But according to average basic salary earned on 31st August, 2008 the gratuity has been calculated.

05. On behalf of Designated Officer (RTI), the Learned Advocate Mr. Ataur Rahman mentioned in his statement that the complainant has been supplied his desired information. The amount money of gratuity has been fixed according to Administrative Order of Biman Bangladesh Airlines. According to Administrative Order No. 02/2009 and MoU signed between Biman and FENA, according to average basic salary earned on 31st August, 2008 by fixing basic salary Tk. 46,295.00 for Mr. M. Foyzul Islam, P-31400 the final account has been settled for Mr. Foyzul Islam, P-31400. This information is their last information, in addition, they have not any information.

06. In pursuance of prayer of the applicant because of the information supplied by Designated Officer (RTI) is last information to them and according to account of which average salary their total gratuity shall be fixed that is because of excluding under Information Commission, the Information Commission have nothing to do, to this effect the commission passed opinion.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it appeared that the desired information of the complainant has been supplied by the Designated Officer and that information is last information to them, furthermore there is no information. In the matter of desired demand of the complainant because of financial and lawful complexity is excluded under Information Commission and because of their supplied information is

last information, in this matter the Information Commission have nothing to do to this effect it is seemed.

Decision

After detailed discussion the complaint is disposed of with the following written direction:

Since, Bangladesh Biman has supplied complainant his desired information and the Designated Officer (RTI) gave information that is last payable information, so, the complaint is dismissed.

Let the copy be sent to the concerned parties.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 102/2014

Complainant: Mr. Khorshed Ahmed
S/O. Late Dr. Moyez Uddin Ahmed
House-6, Road-7
Baridhara Diplomatic Zone
Dhaka-1212.

Opposite Party: Mr. Khan Mosharrof Hossain
General Manager Public Relation
&
Designated Officer (RTI)
Biman Bangladesh Airlines Ltd.
Head Office, Balaka, Kurmitola,
Dhaka-1229.

Decision Paper

(Date: 30-09-2014)

The complainant Mr. Khorshed Ahmed lodged petition on 03-07-2014 to Mr. Khan Mosharrof Hossain, General Manager, Public Relation and Designated Officer (RTI), Biman Bangladesh Airlines Limited, Head Office, Balaka, Kurmitola, Dhaka-1229, seeking for the following information according to section-8(1) of Right to Information Act, 2009.

According to letter ref: DCPR/Information-2009/03/2014/1510, dated: 06th June, 2014 of Biman Bangladesh Airlines Limited, Mr. Khorshed Ahmed, P-31435, Ex Flight Engineer.

- a) Average Tk. 3,58,855.53 of basic salary obtained in 12 months of before taking retirement on 22.03.2010.
- b) Grand total duration of service-29 years, 02 days.
- c) Account of obtained gratuity at the rate of 03 years in a year $46,294.00 \times 29 \times 03 =$ Tk. 40,27,578.00.

“Mentionable, according to administrative order number-02/2009 and MoU signed between Biman and FENA according to average basic salary earned on 31st August, 2008 by fixing basic Tk. 46,294 for Mr. Khorshed Ahmed, P-31435 the final account of Mr. Khorshed Ahmed, Flight Engineer has been settled”

According to Right to Information Act, 2009 as a former officer and citizen of Bangladesh I sought information by the way of last paragraph quoted the above mentioned letter-

By dint of power of administrative order number-02/2009 and given specifically in which sentence or sentences of specifically any paragraph or paragraphs of MoU signed Biman and FENA according to average basic salary earned on 31st August, 2008 by fixing basic salary Tk. 46,294 of Mr. Khorshed Ahmed, P-31435 the final account of Mr. Khorshed Ahmed, Flight Engineer has been settled.

02. Having not found desired information within fixed time the complainant appealed to A. M. Mosaddik Ahmed, Managing Director and CEO and Appellate Authority (RTI), Biman Bangladesh Airlines Ltd, Head Office, Balak, Kurmitola, Dhaka-1229 on 24.08.2014. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 11.09.2014.

03. The matter was discussed in the meeting on 15.09.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.09.2014.

04. On the fixed date of hearing the complainant Mr. Khorshed Ahmed and the opposite party on behalf of General Manager, Public Relation and Designated Officer (RTI), Biman Bangladesh Airlines Ltd, Head Office, Balaka, Kurmitola, Dhaka-1229, Learned Advocate Mr. Ataur Rahman appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for the information mentioned in paragraph no.01. Having not found any remedy even submission of appeal he submitted complaint to the Information Commission. Subsequently he found few information, but that is not correct. It was needed to calculate the gratuity according to account of average salary of last salary during service. But according to average basic salary earned on 31st August, 2008 the gratuity has been calculated.

05. On behalf of Designated Officer (RTI), the Learned Advocate Mr. Ataur Rahman mentioned in his statement that the complainant has been supplied his desired information. The amount money of gratuity has been fixed according to Administrative Order of Biman Bangladesh Airlines. According to Administrative Order No. 02/2009 and MoU signed between Biman and FENA, according to average basic salary earned on 31st August, 2008 by fixing basic salary Tk. 46,294 for Mr. Khorshed Ahmed, P-31435 the final account has been settled for Mr. Khorshed Ahmed, Flight Engineer. This information is their last information, in addition, they have not any payable information.

06. In pursuance of prayer of the applicant because of the information supplied by Designated Officer (RTI) is last information to them and according to account of which average salary their total gratuity shall be fixed that is because of excluding under Information Commission, the Information Commission have nothing to do, to this effect the commission passed opinion.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it appeared that the desired information of the complainant has been supplied by the Designated Officer and that information is last information to them, furthermore there is no information. In the matter of desired demand of the complainant because of financial and lawful complexity is excluded under Information Commission and because of their supplied information is last information, in this matter the Information Commission have nothing to do to this effect it is seemed.

Decision

After detailed discussion the complaint is disposed of by giving the following directions:

Since, Bangladesh Biman has supplied complainant his desired information and the Designated Officer (RTI) information that is last payable information, so, the complaint is dismissed.

Let the copy be sent to the concerned parties.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 103/2014

Complainant: Mr. Khorshed Ahmed
S/O. Late Dr. Moyez Uddin Ahmed
House-6, Road-7
Baridhara Diplomatic Zone
Dhaka-1212.

Opposite Party: Mr. Khan Mosharrof Hossain
General Manager Public
Relation
&
Designated Officer (RTI)
Biman Bangladesh Airlines Ltd.
Head Office, Balaka, Kurmitola,
Dhaka-1229.

Decision Paper (Date: 30-09-2014)

The complainant Mr. Khorshed Ahmed lodged petition on 03.07.2014 to Mr. Khan Mosharrof Hossain, General Manager, Public Relation & Designated Officer (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka-1229 seeking for the following information according to section-8(1) of Right to Information Act, 2009:

According to Right to Information Act, 2009 as a former officer of Biman, Khorshed Ahmed, P-31435, Ex Flight Engineer and citizen of Bangladesh I want to get the following written information.

- a) **In the fiscal year 2011-12 how much money have been deducted by Biman as income tax for the fiscal year 2011-12 from my receivable income from Biman.**
- b) **By the way of “The Income Tax Policy issued by the Government” mentioned in first paragraph of Administrative Order No. 07/2012 date: 22 January 2012 of Biman by dint of power of which section of which Income Tax Policy of specific which date Biman deducted this money as income tax from my receivable income from Biman.**

02. Having not found desired information within fixed time the complainant appealed to A. M. Mosaddik Ahmed, Managing Director and CEO & Appellate Authority (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka-1229 on 24.08.2014. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 11.09.2014.

03. The matter was discussed in the meeting on 15.09.2014. According to decision of the meeting summonses were to the concerned parties fixing the date of hearing on 30.09.2014.

04. On the fixed date of hearing the complainant Mr. Khorshed Ahmed and the opposite party on behalf of General Manager, Public Relation & Designated Officer (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka-1229, Learned Advocate Mr. Aatur Rahman appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for the information mentioned in paragraph no.1. Having

not found information he appealed to Appellate Authority (RTI). Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission.

05. On behalf of Designated Officer (RTI), Learned Advocate Mr. Ataur Rahman mentioned in his statement that according to New Income Tax Policy of Government and order no.07/2012, dated: 22 January, 2012 of Biman the income tax has been deducted. Because of remaining writ petition no. 3813/2014 regarding the matter of desired information under trial in Hon'ble High Court it was not possible to supply the information to the complainant.

06. Because of not remaining injunction by the Hon'ble Court in the matter of providing information and according to rule of which section of Income Tax Policy how much money have been deducted as income tax, the complainant has right to know that information according to Right to Information Act, 2009. As a result, the desired information of the complainant can be provided according to the Right to Information Act, 2009 the commission opined the Designated Officer (RTI) assured to provide the desired information to the complainant.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidence it appeared that there is no injunction of Hon'ble Court to provide the complainant his desired information, so according to Right to Information Act, 2009 there is no obstruction to supply the complainant his desired information. Since the Designated Officer (RTI) assured to supply the complainant his desired information the case seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. General Manager, Public Relation & Designated Officer (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka is directed to supply the complainant his desired information on or before 20.10.2014 subject to pay the cost of information.
2. As per section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009 the Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807.
3. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 104/2014

Complainant: Mr. M. Foyzul Islam
S/O. Late Dr. Md. Amirul Islam
House-69, Tejkunipara
Tejgaon, Dhaka-1215.

Opposite Party: Mr. Khan Mosharrof Hossain
General Manager Public Relation
&
Designated Officer (RTI)
Biman Bangladesh Airlines Ltd.
Head Office, Balaka
Kurmitola, Dhaka-1229.

Decision Paper (Date: 30-09-2014)

The complainant Mr. M. Foyzul Islam lodged petition on 03.07.2014 to Mr. Khan Mosharrof Hossain, General Manager, Public Relation & Designated Officer (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka-1229 seeking for the following information according to Section-8(1) of Right to Information Act, 2009.

According to Right to Information Act, 2009 as a former officer of Biman, M. Foyzul Islam, P-31400, Ex Flight Engineer and citizen of Bangladesh I want to get the following written information.

- a) **In the fiscal year 2011-12 how many money has been deducted by Biman as income tax for the fiscal year 2011-12 from my receivable income from Biman.**
- b) **By the way of “The Income Tax Policy issued by the Government” mentioned in first paragraph of Administrative Order No. 07/2012 date: 22 January 2012 of Biman by dint of power of which section of which Income Tax Policy of specific which date Biman deducted this money as income tax from my receivable income from Biman.**

02. Having not found desired information within fixed time the complainant appealed to A. M. Mosaddik Ahmed, Managing Director and CEO & Appellate Authority (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka-1229 on 24.08.2014. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 11.09.2014.

03. The matter was discussed in the meeting on 15.09.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.09.2014.

04. On the fixed date of hearing the complainant Mr. Khorshed Ahmed and the opposite party on behalf of General Manager, Public Relation & Designated Officer (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka-1229, Learned Advocate Mr. Ataur Rahman appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he

prayed to Designated Officer (RTI) seeking for the information mentioned in paragraph no.1. Having not found information he appealed to Appellate Authority (RTI). Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission.

05. On behalf of Designated Officer (RTI), Learned Advocate Mr. Ataur Rahman mentioned in his statement that according to New Income Tax Policy of Government and order no.07/2012, dated: 22 January, 2012 of Biman the income tax has been deducted. Because of remaining writ petition no. 3813/2014 regarding the matter of desired information under trial in Hon'ble High Court it was not possible to supply the information to the complainant.

06. Because of not remaining injunction by the Hon'ble Court in the matter of providing information and according to rule of which section of Income Tax Policy how much money has been deducted as income tax, the complainant has right to know that information. As a result, according to Right to Information Act, 2009 the commission passed opinion to this effect that the desired information is payable, the Designated Officer (RTI) assured to supply the complainant his desired information.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it appeared that there is no injunction of Hon'ble Court to provide the complainant his desired information, so according to Right to Information Act, 2009 there is no obstruction to supply the complainant his desired information. Since the Designated Officer (RTI) assured to supply the complainant his desired information the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. General Manager, Public Relation & Designated Officer (RTI), Biman Bangladesh Airlines Ltd., Head Office, Balaka, Kurmitola, Dhaka is directed to supply the complainant his desired information on or before 20.10.2014 subject to pay the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 as per section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 105/2014

Complainant: Mr. Thakur Das Malo
S/O. Baiddyanath Malo
Sub-Inspector of Police
Kalabagan Police Station
DMP, Dhaka.

Opposite Party: Mr. Neyamat Ullah
Director (BCS Examination Section)
&
Designated Officer (RTI)
Bangladesh Public Service Commission
Secretariat, Agargaon, Dhaka.

Decision Paper (Date: 20-10-2014)

The complainant Mr. Thakur Das Malo lodged petition on 03.04.2014 to Diana Islam Shima, Public Relation Officer & Designated Officer (RTI), Bangladesh Public Service Commission, Secretariat, Sher-e-Bangla Nagar, Agargaon, Dhaka, seeking for the following information according to section-8(1) of Right to Information Act, 2009:

- 1) **How many post had in the 28th BCS?**
 - 2) **According to that how many post had in aboriginal/tribal quota?**
 - 3) **How many persons have been recommended in the cadre post as tribal and general?**
 - 4) **How many aboriginal/tribal have been passed finally in written & viva examination?**
 - 5) **What is my position in written and viva test as tribal candidate?**
 - 6) **How many tribal have been recommended in the cadre post of merit and another quota before mine?**
 - 7) **How many cadre post had in freedom fighter, tribal, female etc quota?**
- [The information are available to Hon'ble Controller of Examination (Cadre)]**

02. Having not found desired information within fixed time the complainant appealed to Secretary and Appellate Authority (RTI), Bangladesh Public Service Commission, Secretariat, Sher-e-Bangla Nagar, Agargaon, Dhaka by registered post on 03.07.2014. After filing appeal Mr. Neamat Ullah, Director (Cadre) and Designated Officer (RTI), Bangladesh Public Service Commission, Secretariat, Sher-e-Bangla Nagar, Agargaon, Dhaka supplied the complainant his desired information by memo no. BaSaKaKaSa/Admin/Public Relation/ Information Sending-01/2010 (Part-1)-141 on 06.08.2014. Mentioning incomplete and puzzling the supplied information the complainant submitted complainant to the Information Commission on 11.09.2014.

03. The matter was discussed in the meeting on 15.09.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.09.2014.

04. The complainant Mr. Thakur Das Malo prayed for time on 29.09.2014. The time prayer was sanctioned by the commission and fixing date of hearing again on 20.10.2014 summonses were issued to the complainant and Designated Officer (RTI).

05. On the fixed date of hearing the complainant Mr. Thakur Das Malo and the opposite party Director (Cadre) and Designated Officer (RTI) of Bangladesh Public Service Commission, Secretariat, Mr. Neyamat Ullah appeared. The complainant mentioned in his statement that according to Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for 07 (seven) information mentioned in paragraph no.01. Having not found information he appealed to Appellate Authority (RTI). After filing appeal the Designated Officer (RTI) supplied information by memo no. BaSaKaKaSa/Admin/Public Relation/ Information Sending-01/2010 (Part-1)-141 on 06.08.2014. He has no objection in the matter of supplied 05 (five) information among desired 07 (seven) information but in no-5 & no-06 he mentioned it not providable information which is incomplete and confusing. Having sought remedy in this matter he submitted complaint to the Information Commission.

06. The Designated Officer (RTI) of Bangladesh Public Service Commission, Mr. Md. Neyamat Ullah mentioned in his statement that the desired information of the complainant has been supplied. The complainant has protested in the matter of two information, in that matter I think to this effect that the information & explanation given by the commission is perfect, because in reply of such question of BPSC FORM-1 of 28th BCS and “Whether tribal” in the basic application form, he mentioned “No”. On 20.06.2010 the complainant demanding himself as tribal submitted an application form along with certificate in Public Service Commission, but before it the viva examination was held and on 03.06.2010 the final list of passed candidates in written and viva examination of 28th BCS was published. Subsequently on 20.07.2010 if the candidate who passed in 28th BCS written & viva examination but non-recommended in the cadre post are directed to pray in non-cadre post, he submitted prayer along with tribal certificate as candidate. Subsequently when the complainant is recommended to join 1st Class Post in the post of Upazila Election Officer he did not join.

07. In pursuance of reply of the opposite party, the complainant informed that in reply of such question of BPSC FORM-1 AND “Whether tribal? in Basic Application Form, he mentioned “No”, because he did not obtain certificate as tribal. Subsequently before viva-voce he submitted tribal certificate. He prayed again to treat him as tribal on 20.06.2010, but he was not posted in cadre post as tribal.

08. In reply of such question of the commission whether he has any document preserved that he submitted Tribal Certificate in Bangladesh Public Service Commission before viva voce the complainant failed to submit the proper evidence.

Discussion

After hearing the statement of both the complainant and the Designated Officer (RTI), and reviewing the submitted evidences it appeared that the complainant has been supplied his desired information. Before holding-up viva-voce although he has demanded that he submitted the Tribal Certificate in BPSC, he failed to submit such evidence. The final result of written and viva-voce of 28th BCS has been published on 03.06.2010, subsequently on 20.06.2010 he submitted Tribal Certificate that is applicable in case of 1st class non-cadre post. In reply of “Whether the candidate is tribal?” in Basic Prayer of BCS i.e. BPSC FORM-1 he written “No”. By perusing the entire evidences, the information issued by BPSC is correct and the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with dismissal order.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 106/2014

Complainant: Mr. Md. Shah Alam (Ll.B)
House-4/10, Humayun Road
Mohammadpur, Dhaka.

Opposite Party: Director
&
Directorate of Housing
Bangladesh Secretariat
Dhaka.

Decision Paper

(Date: 30-09-2014)

The complainant Mr. Md. Shah Alam (Ll.B) filed complaint in Information Commission on 15.09.2014 against Director, Directorate of Housing, Bangladesh Secretariat, Dhaka for not appointing Designated Officer according to Right to Information Act, 2009. He has prayed lawful remedy in this regard.

02. The matter was discussed in the meeting on 15.09.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.09.2014.

03. On the fixed date of hearing the complainant Mr. Md. Shah Alam (Ll.B) appeared and the opposite party Director, Directorate of Housing, Bangladesh Secretariat, Dhaka remained absent. The complainant mentioned in his statement that according to Right to Information Act because of not appointing Designated Officer he is being harassed to get information so, he filed this complaint. He has prayed lawful remedy in this matter.

04. The commission expressed opinion to this effect that it would be expedient to direct the Director, Directorate of Housing, Bangladesh Secretariat, to appoint Designated Officer (RTI) in all units within 60 days.

Discussion

After hearing the statement of complainant and after reviewing the submitted evidence it appeared that the Designated Officer (RTI) of Directorate of Housing was not appointed. According to Right to Information Act the commission think that it would be expedient to give direction to Director, Directorate of Housing, Bangladesh Secretariat, Dhaka to appoint Designated Officer (RTI) in all units.

Decision

After detailed discussion the complaint is disposed of with the following direction:

1. The Director, Directorate of Housing, Bangladesh Secretariat, Dhaka is directed to submit the copy of appointment, appointing the Designated Officer (RTI) in all information providing units within 26.10.2014 according to Right to Information Act, 2009.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 107/2014

Complainant: Mr. A. S. M. Alamgir

A. K. M. Shahjahan
Puraton Bazar
Upazila: Birampur
District: Dinajpur.

Opposite Party: Dr. Shamsur Rahman

Upazila Health &
Family Planning Officer
&
Designated Officer (RTI)
Ghoraghat, Dinajpur.

Decision Paper (Date: 29-10-2014)

The complainant Mr. A. S. M. Alamgir lodged petition on 06.05.2014 to Dr. Shamsur Rahman, Upazila Health & Family Planning Officer and Designated Officer (RTI) seeking for the following information according to Right to Information Act, 2009-

- 01. How much money have been earned in which head for last two years for Ghoraghat Upazila Health Complex and how much money have been spent in which head, the photocopy signed by authority of entire vouchers along with full details of the account of income & expenditure. Whether any officer-employee dwells in the residential building? If, dwell, their name & designation & mobile number. How much money have been collected from them on which basis.**
- 02. The amount of month wise electric bill for last two years of Health Complex and Residential Building. The photocopy of paid-up bill. The name, designation & mobile phone number of on duty all along with the entire officers, physicians and employees on duty in Ghoraghat Health Complex and Department of Family Planning.**
- 03. The entire descriptions of conducting program, activities directed by the Government in recently measles-rubella vaccinating program in Ghoraghat Upazila. Where which function, program have been performed, its description. Amount of separate allotment, regulation of allotment expenditure in each program fixed by the Government in Measles-Rubella vaccinating program and entire photocopies of vouchers signed by the authority of allotment expenditure.**

02. Having not found desired information within the fixed time the complainant appealed to Civil Surgeon & Appellate Authority (RTI), Office of the Civil Surgeon, Dinajpur on 09.07.2014. Despite of filing appeal having not found any remedy he submitted complaint to the Information Commission on 14.09.2014.

03. The matter was discussed in the meeting on 02.10.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 29.10.2014.

04. On the fixed date of hearing the complainant Mr. A. S. M. Alamgir remained absent. But the opposite party Dr. Shamsur Rahman, Upazila Health and Family Planning Officer and Designated Officer (RTI), Ghoraghat, Dinajpur appeared. The Designated Officer (RTI) mentioned in his statement that the complainant has been provided his desired information.

05. The complainant by sending letter to Information Commission mentioned that he has got his desired information. At present he has no complainant, so he has requested to settle the complaint.

Discussion

After hearing the statement of opposite party and after reviewing the submitted evidence it appeared that the Designated Officer (RTI) has supplied complainant his desired information and the complainant has obtained desired information so, the complaint seems to be disposable.

Decision

Since the complainant has obtained desired information so, the complaint is disposed of.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 108/2014

Complainant: Mr. Iqbal Hossain Forkan

S/O. Late Alhaj M. A. Fattah
A/1, Paltan Bilash
72, Purana Paltan
Dhaka-1000.

Opposite Party: Rikta Datta

Deputy Registrar
(Co-ordination & Work Evaluation)
&
Designated Officer (RTI)
Department of Co-operative
Samabay Bhaban
F-10/A-B Agargaon, Dhaka-1207.

Decision Paper (Date: 24-11-2014)

The complainant filed complaint again to the Information Commission on 15.09.2014 against Deputy Registrar (Co-ordination & Work Evaluation) and Designated Officer (RTI) of Department of Co-operative, Rikta Datta in the matter of his submitted complaint no. 40/2014. He mentioned that after hearing in the matter of complaint no. 40/2014 according to taken decision the Designated Officer (RTI) supplied information on 28.08.2014, which is incomplete. He filed complaint again to the Information Commission to get entire information.

02. The matter was discussed in the meeting on 02.10.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 29.10.

03. The Designated Officer (RTI) prayed seeking for time. The time prayer has been sanctioned by the commission and fixing date of hearing again on 24.11.2014 summonses were issued to the concerned parties.

04. On the fixed date of hearing the complainant Mr. Iqbal Hossain Forkan and the opposite party Deputy Registrar (Co-ordination & Work Evaluation) and Designated Officer (RTI) of Department of Co-operative, Rikta Datta appeared. The complainant mentioned in his statement that after last hearing in the matter of complaint no. 40/2014 according to taken decision the Designated Officer (RTI) has supplied the information of 01 Audit Report among his desired 09 information. He has filed complaint again to the Information Commission to get entire information.

05. The opposite party Deputy Registrar (Co-ordination & Work Evaluation) and Designated Officer (RTI) of Department of Co-operative, Rikta Datta mentioned in her statement that the entire information of the complainant was available in the supplied audit report. The complainant because of not being satisfied with the supplied information today she came again with desired entire information of the complaint. The Designated Officer (RTI) has assured to supply the entire information of the complainant according to direction of the Information Commission.

06. At the time of hearing the Designated Officer (RTI) presented the reply of desired information of the complainant to the Information Commission. The complainant mentioned that which information has been brought to supply him, in it there is no certification of Designated Officer (RTI). If the Commission mention the matter to supply the complainant his desired information by duly certifying according to rule of Right to Information (regarding receiving information) Rules, 2009 to the Designated Officer (RTI), the Designated Officer (RTI) has consented to it.

Discussion

After hearing the statement of both the complainant & the opposite party and after reviewing the submitted evidences it appeared that the complainant has been supplied before the information of audit report. Because of the complainant being dissatisfied in obtained information the Designated Officer has come with desired information of the complainant. The Designated Officer (RTI) because of assuring to supply the entire information of the complainant according to Right to Information (regarding receiving information) Act, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. The Deputy Registrar (Co-ordination & Work Evaluation) and Designated Officer (RTI) of Department of Co-operative is directed to supply complainant the information along with proper certification without delay subject to pay the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 109/2014

Complainant: Fuli Mondal

D/O. Amal Mondal
Village + Post Office: Fingri
Police Station + District:
Satkhira.

Opposite Party: Upazila Nirbahi Officer

&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper (Date: 29-10-2014)

The complainant Fuli Mondal lodged petition by registered post on 25.05.2014 to Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila, Mr. Md. Asaduzzaman seeking for the following information according to Right to Information Act, 2009-

- **In case of getting van and education stipends for Anthropological Community, whether remain rule to become member officially at any local NGO for the Aboriginal Bagdee, its information.**

02. Having not found desired information within fixed time the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. Despite of filing appeal having not found any remedy she submitted complaint to the Information Commission on 15.09.2014.

03. The matter was discussed in the meeting on 02.10.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 29.10.2014.

04. On the fixed date of hearing the complainant Fuli Mondal remained absent. But the opposite party ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Nirbahi Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman appeared. The Designated Officer (RTI) mentioned in his statement that at the time of remaining on duty as Upazila Nirbahi Officer of Satkhira Sadar Upazila he obtained the prayer for getting information, accordingly the information was made in due time, but the applicant because of not contacting subsequently it was not possible to provide information.

Discussion

After hearing the statement of opposite party it appeared that complaint have no requirement for information, so the complaint seems to be disposable.

Decision

Since, the complaint is absent in today's hearing and she have no requirement for information, so, the complaint is disposed of with dismissal order.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 110/2014

Complainant: Jayanti Rani
D/O. Shantosh Gain
Komarpur,
P.O: Bhaluka Chandpur
Police Station+District: Satkhira

Opposite Party: Upazila Nirbahi Officer
&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper (Date: 29-10-2014)

The complainant Jayanti Rani lodged petition by registered post on 25.05.2014 to Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila, Mr. Md. Asaduzzaman seeking for the following information according to Right to Information Act, 2009-

- **How many students have been given education stipends at Dhulihor Union of Sadar Upazila to study for Anthropological Community for the fiscal year 2013-14 from the office of the Prime Minister, its information.**

02. Having not found desired information within fixed time the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. Despite of filing appeal having not found any remedy she filed complaint to the Information Commission on 15.09.2015.

03. The matter was discussed in the meeting on 02.10.2014. According to decision of the meeting summonses were issued to the concerned parties fixing the date of hearing day on 29.10.2014.

04. On the fixed date of hearing the complainant Jayanti Rani Mondal and the opposite party ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Nirbahi Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman appeared. The complainant mentioned in her statement that according to Right to Information Act, 2009 she lodged petition to Designated Officer (RTI) seeking for the information mentioned in paragraph no.1. Having not found information she appealed to Appellate Authority (RTI). Despite of filing appeal to the Appellate Authority having not found any remedy she submitted complaint to the Information Commission.

05. The Ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District mentioned in his statement that at present having transferred he is working at Terokhada Upazila of Khulna District. Because of being issued summon in his name he has appeared in hearing of commission. At the time of remaining on duty as Upazila Nirbahi Officer of Sadar Upazila of Satkhira he obtained prayer for getting information, accordingly, the information was made in due time. But subsequently because of not contacting the applicant it was not possible to give information. After receiving summon if contact again with complainant on 13.10.2014 at 10:00AM the complainant appeared in his office and her desired information has been supplied.

06. In pursuance of statement of Designated Officer (RTI) the complainant mentioned that when she contacted in the office of Designated Officer a signature was taken on a list from her. But she was not supplied any information.

07. Despite of taking signature from the complainant why she was not given information in a query of the commission the ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District informed that he empowered the employee of his office for providing information by taking signature. He was informed to this effect that the information has been provided properly and at the time of giving information the photograph of the complainant was taken, yet the matter is not comprehensible to inform to the commission to this effect that they did not receive information.

08. In pursuance of statement of Upazila Nirbahi Officer and Designated Officer (RTI) the complainant informed that the money of education stipends is given by bearer cheque from the office of Upazila Nirbahi Officer. Mr. Mokhles and Modal Mondal were given the cheque to withdraw this money. But withdrawing money they did not repay money. According to Right to Information Act having not supplied information her, the signature was taken on the said list. A vicious circle worked for embezzling the money of stipend.

09. According to Right to Information Act, 2009 (regarding information receiving) Rules, 2009 when the commission mentioned the matter of supplying information along with certification, signature & seal of Designated Officer the present Ex Upazila Nirbahi Officer and Designated Officer (RTI) assured to supply information duly through presently working Designated Officer (RTI).

Discussion

After hearing the statement of both the complainant and the opposite party and after reviewing the submitted evidences it appeared that the complainant did not receive information. Rather her signature has been taken on a list combined with 12 persons' name. According to rule-4 of Right to Information (regarding information receiving) Rules, 2009 by certifying each page of information endorsing the name, designation, signature and official seal of Designated Officer no information was given, it has been proved by submitted papers. The present Ex Upazila Nirbahi Officer and Designated Officer (RTI) assured to supply the complainant her desired information through presently working Upazila Nirbahi Officer and Designated Officer (RTI) in Sadar Upazila of Satkhira District. On the other hand, the Information Commission passed opinion to this effect that it is needed to investigate the

complaint combined with not properly distribution the money of education stipends and feel necessity to direct to investigate the matter through presently working Upazila Nirbahi Officer.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District is directed to supply the complainant her desired information along with duly certification, signature and seal by next 01 week from date of receipt of this order subject to pay the cost of information.
2. By investigating into the matter of complaint-paragraph no.8 combined not properly distributing the money of education stipends, Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District is directed to send the report in favour of the commission.
3. The Designated officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 according to section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
4. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 111/2014

Complainant: Mr. Bhola Mondal
S/O. Nitai Mondal
Komorpur
P.O: Bhaluka Chandpur
P.S+Dist: Satkhira

Opposite Party: Upazilla Nirbahi Officer
&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper **(Date: 29-10-2014)**

The complainant Mr. Bhola Mondal filed petition by registered post on 25.05.2014 to the Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila Mr. Md. Asaduzzaman as per Section-8(1) of Right to Information Act, 2009 seeking for the following information:

- **How many leg run puller van have been distributed amongst whom at Dhulihor Union of Sadar Upazila for development of Anthropologist Community for the fiscal year 2013-14 from the office of the Prime Minister, its name list and copy of policy of Van distribution.**

02. Having not found the desired information within fixed time, the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. After that without getting any solution even after lodging the appeal he complained in Information Commission on 15.09.2015.

03. The matter was discussed in the meeting of the commission on 02.10.2014. As per decision of the meeting summonses were issued to the parties concerned fixing the date of hearing on 29.10.2014

04. On the fixed date of hearing the complainant Mr. Bhola Mondal and the opposite party ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Nirbahi Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman are appeared. The complainant in his statement explained that as per Right to Information Act, 2009 prayed to Designated Officer (RTI) seeking for information mentioned in paragraph no.1. Having not found information appealed to Appellate Authority (RTI). After making appeal to the Appellate Authority having not found any remedy he submitted complaint in Information Commission.

05. Ex Upazila Executive Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District in his statement mentioned that at present he has been transferred to Terokhada Upazila of Khulna District. Because of issuing summon in his name he appeared in hearing of commission. At the time of remaining on duty as Upazila Nirbahi Officer of Sadar Upazila of Satkhira he obtained prayer of receiving information, according to that the information is prepared in due time. But subsequently because of not contacting the petitioner providing information is not possible. After issuing summon contact was made again with complainant on 13.10.2014 at 10:00AM the complainant appeared in his office and his desired information is supplied.

06. In pursuance of statement of Designated Officer (RTI) the complainant mentioned that when he contacted in the office of Designated Officer took a signature on a list from him. But he was not supplied any information.

07. After taking signature from the complainant why he did not provide information in a query the ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District informed that he empowered an employee of his office for issuing information by taking signature. He was informed to this effect that the information has been given properly and at the time of giving information the photograph of the complainant is taken yet the matter is not comprehensible to inform to the commission to this effect that they did not receive information.

08. As per Right to Information (regarding information receiving) Regulation, 2009 by receiving information value if mention in commission the matter of certification, signature and seal including information supplying of Designated Officer gave assurance of duly information supply through ex Upazila Nirbahi Officer and Designated Officer (RTI) at present Designated Officer (RTI).

Discussion

Hearing the statement of both complainant and opposite party and reviewing the submitted evidences it appeared that the complainant did not receive information. Although his signature was taken on the list regarding van supply as per Rule-4 of Right to Information (regarding information receiving) Regulation, 2009 by certifying in each page no information was given affixing name, designation, signature and seal of Designated Officer. Because of assuring to supply his certificate, signature and seal including information through presence ex Upazila Executive Officer and Designated Officer (RTI), at present on duty in Sadar Upazila of Satkhira District Upazila Nirbahi Officer and Designated Officer (RTI) the complaint is seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following instructions.

1. The present Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila is directed to supply the requested information to the within next one week on the condition of paying the cost of information complainant his desired information by next one week from date of receipt of this order.

2. The Designated Officer (RTI) has been directed to deposit the money in code no: 1-3301-0001-1807 in public treasury the cost of the provided information according to section 9 of the Right to Information Act, 2009, and rule 8 Right to Information Act (Regarding information receiving) Rules, 2009.
3. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 112/2014

Complainant: Nomita Rani Mondal
D/O. Binda Mondal
Komorpur
P.O: Bhaluka Chandpur
P.S+Dist: Satkhira

Opposite Party: Upazila Nirbahi Officer
&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper (Date: 29-10-2014)

The complainant Nomita Rani Mondal prayed to Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila Mr. Md. Asaduzzaman by registered post on 25.05.2014 as per Section-8(1) of Right to Information Act, 2009 through seeking for the following information.

- **How many leg run puller van have been distributed amongst whom at Dhulihor Union of Sadar Upazila for development of Anthropological Community for the fiscal year 2013-14 from the office of the Prime Minister, its name list and information regarding policy.**

02. Having not found the desired information within fixed time, the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. After that without getting any remedy, she filed complaint to the Information Commission on 15.09.2015.

03. The matter was discussed in the meeting of the commission on 02.10.2014. As per decision of the meeting summonses were issued to the parties concerned fixing the date of hearing on 29.10.2014.

04. On fixed date of hearing the complainant Nomita Rani Mondal and the opposite party ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Executive Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman are appeared. The complainant in her statement explained that as per the Right to Information Act, 2009 prayed to Designated Officer (RTI) demanding information mentioned in paragraph no.1. Having not found information appealed to Appellate Authority (RTI). After making appeal to the Appellate Authority she did not found any remedy and she submitted complaint in Information Commission.

05. Ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District in his statement mentioned that at present he has been transferred to Terokhada Upazila of Khulna District. Because of issuing summon in his name he appeared in hearing of the commission. At the time of remaining on duty as Upazila Executive Officer of Sadar Upazila of Satkhira he obtained prayer of receiving information, according to that the information is prepared in due time. But subsequently because of not contacting the petitioner it was not possible to give information. After issuing summon he contacted again with complainant on 13.10.2014 at 10:00AM the complainant appeared in his office and his desired information is supplied.

06. In pursuance of statement of the Designated Officer (RTI), the complainant mentioned that when she was contacted in the office of the Designat officer a signature was taken on a list from her. But she was not supplied any information.

07. After taking signature from the complainant why she was not given information in a query, sthe ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District informed that he empowered an employee of his office for issuing information by taking signature. He was informed to this effect that the information has been given properly and at the time of giving information the photograph of the complainant is taken yet the matter is not comprehensible to inform to the commission to this effect that they did not receive information.

08. As per the Right Information (regarding information receiving) Regulation, 2009 by receiving information value if mention in commission the matter of certificate, signature and seal including information supplying of Designated Officer gave assurance of duly information supply through ex Upazila Nirbahi Officer and Designated Officer (RTI) at present Designated Officer (RTI).

Discussion

Hearing the statement of both complainant and opposite party and after reviewing the submitted evidences, it appeared that the complainant did not receive information. Although her signature is taken on the list regarding van supply as per Rule-4 of Information Right (regarding information receiving) Regulation, 2009 by certifying in each page no information was given affixing name, designation, signature and seal of Designated Officer. Because of assuring to supply his certificate, signature and seal including information through presence ex Upazila Nirbahi Officer and Designated Officer (RTI), at present on duty in Sadar Upazila of Satkhira District Upazila Nirbahi Officer and Designated Officer (RTI) the complaint is seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following instructions.

1. The Designated Officer has been directed to provide the requested information to the complainant within next one week on the condition of paying the cost of information.
2. He has been directed to deposit the realized money in code no: 1-3301-0001-1807 in public treasury the cost of provided information according to section 9 of the Right to Information Act, 2009 and rule 8 of the Right to Information (regarding information receiving) Rules, 2009.

3. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 113/2014

Complainant: Anjana Rani Mondal

D/O. Kanai Mondal
Village+ P.O: Fingri
P.S+Dist: Satkhira

Opposite Party: Upazila Nirbahi Officer

&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper (Date: 29-10-2014)

The complainant Anjana Rani Mondal prayed to Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila Mr. Md. Asaduzzaman by registered post on 25.05.2014 as per Section-8(1) of Right to Information Act, 2009 through seeking for the following information.

- **How many stipends have been distributed amongst whom at Fingri Union of Sadar Upazila for development of Anthropologist Community for the fiscal year 2013-14 from the office of the Prime Minister.**

02. Having not found the desired information within fixed time, the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. After that without getting any remedy, she filed complaint to the Information Commission on 15.09.2015.

03. The matter was discussed in the meeting of the commission on 02.10.2014. As per decision of the meeting summonses were issued to the parties concerned fixing the date of hearing on 29.10.2014.

04. On fixed date of hearing the complainant Anjana Rani Mondal is absent but the opposite party ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Nirbahi Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman is present. Ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District in his statement mentioned that at present he has been transferred to Terokhada Upazila of Khulna District. Because of issuing summon in his name he appeared in hearing of the commission. At the time of remaining on duty as Upazila Nirbahi Officer of Sadar Upazila of Satkhira he obtained prayer of receiving information, according to that the information is prepared in due time. But subsequently because of not contacting the petitioner it was not possible to give information. After issuing summon,

when she contacted again with complainant, she informed with the declaration that she did not apply for any information and she had no necessity for the information.

05. In pursuance of the submitted declaration, it is found that the complainant did not apply for how many stipends have been distributed amongst whom at Fingri Union, rather somebody applied using her name. She did not apply for information. She had no necessity for the information.

Discussion

Hearing the statement of the Designated Officer and reviewing the submitted declaration, it appeared that the complainant did not apply for information on van supply rather somebody applied using her name. But the present complaint is related with education stipend. Moreover, the complainant is absent, so the complaint seems to be disposable

Decision

As the complainant remained absent on the date of hearing, so the complaint is hereby dismissed.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 114/2014

Complainant: Shikha Rani Mondal

D/O. Kishori Mondal
Korporpur,
P.O: Bhaluka Chandpur
P.S+Dist: Satkhira

Opposite Party: Upazila Nirbahi Officer

&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper (Date: 29-10-2014)

The complainant Shikha Rani Mondal prayed to Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila Mr. Md. Asaduzzaman by registered post on 25.05.2014 as per Section-8(1) of Right to Information Act, 2009 through seeking for the following information.

- **How many leg run puller van have been distributed amongst whom at Dhulihor Union of Sadar Upazila for development of Anthropological Community for the fiscal year 2013-14 from the office of the Prime Minister, its name list and information regarding policy.**

02. Having not found the desired information within fixed time, the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. After that without getting any remedy, she filed complaint to the Information Commission on 15.09.2015.

03. The matter was discussed in the meeting of the commission on 02.10.2014. As per decision of the meeting summonses were issued to the parties concerned fixing the date of hearing on 29.10.2014.

04. On the fixed date of hearing, the complainant Shikha Rani Mondal and the opposite party ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Executive Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman are appeared. The complainant in her statement explained that as per the Right to Information Act, 2009 prayed to Designated Officer (RTI) demanding information mentioned in paragraph no.1. Having not found information appealed to Appellate Authority (RTI). After making appeal to the Appellate Authority she did not found any remedy and she submitted complaint in Information Commission.

05. Ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District in his statement mentioned that at present he has been transferred to Terokhada Upazila of Khulna District. Because of issuing summon in his name he appeared in hearing of the commission. At the time of remaining on duty as Upazila Executive Officer of Sadar Upazila of Satkhira he obtained prayer of receiving information, according to that the information is prepared in due time. But subsequently because of not contacting the petitioner it was not possible to give information. After issuing summon he contacted again with complainant on 13.10.2014 at 10:00AM the complainant appeared in his office and his desired information is supplied.

06. In pursuance of the statement of the Designated Officer (RTI), the complainant mentioned that when she was contacted in the office of the Designated Officer a signature was taken on a list from her. But she was not supplied any information.

07. After taking signature from the complainant why she was not given information in a query, the ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District informed that he empowered an employee of his office for issuing information by taking signature. He was informed to this effect that the information has been given properly and at the time of giving information the photograph of the complainant is taken yet the matter is not comprehensible to inform to the commission to this effect that they did not receive information.

08. As per the Right Information (regarding information receiving) Regulation, 2009 by receiving information value if mention in commission the matter of certificate, signature and seal including information supplying of Designated Officer gave assurance of duly information supply through the present Designated Officer (RTI).

Discussion

Hearing the statement of both complainant and opposite party and after reviewing the submitted evidences, it appeared that the complainant did not receive information. Although her signature is taken on the list regarding van supply as per Rule-4 of Information Right (regarding information receiving) Regulation, 2009 by certifying in each page no information was given affixing name, designation, signature and seal of Designated Officer. Because of assuring to supply his certificate, signature and seal including information through present Upazila Nirbahi Officer and Designated Officer (RTI), of Sadar Upazila of Satkhira District Upazila Nirbahi Officer and Designated Officer (RTI) the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following instructions.

1. The Designated Officer has been directed to provide the requested information to the complainant within next one week on the condition of paying the cost of information.

2. He has been directed to deposit the realized money in code no: 1-3301-0001-1807 in public treasury the cost of provided information according to section 9 of the Right to Information Act, 2009 and rule 8 of the Right to Information (regarding information receiving) Rules, 2009.
3. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 115/2014

Complainant: Anjali Mondal

D/O. Hridoy Mondal
Komorpur,
P.O: Bhaluka Chandpur
P.S+Dist: Satkhira

Opposite Party: Upazila Nirbahi Officer

&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper (Date: 29-10-2014)

The complainant Anjali Mondal on 25.05.2014 as per Section-8(1) of Information Right Act, 2009 prayed to Upazila Executive Officer and Authorized Officer (RTI) of Satkhira Sadar Upazila Mr. Md. Asaduzzaman through registry post seeking for the following information.

- **Information whether aboriginal Bagdee (Paroi) can officially become member of any local NGO Association in case of obtaining leg run van and education stipends allotted for Anthropologist Community.**

02. Having not found desired information within fixed time, the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. After filing appeal without getting any solution, she complained in Information Commission on 15.09.2015.

03. The matter was discussed in the meeting on 02.10.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 29.10.2014.

04. On the fixed date of hearing the complainant Anjali Mondal and the opposite party ex Upazila Nirbahi Officer and Designated officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Nirbahi Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman are appeared. The complainant in her statement explained that as per Right to Information Act, 2009 she prayed to Designated Officer (RTI) seeking for information mentioned in paragraph no.1. Having not found information appealed to Appellate Authority (RTI). After making appeal to the Appellate Authority having not found any remedy she submitted complaint in Information Commission.

05. Ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District in his statement mentioned that at present he has been transferred to Terokhada Upazila of

Khulna District. Because of issuing summon in his name he appeared in hearing of the commission. At the time of remaining on duty as Upazila Nirbahi Officer of Sadar Upazila of Satkhira he obtained prayer of receiving information, according to that the information is prepared in due time. But subsequently because of not contacting the petitioner it was not possible to give information. After issuing summon, when contacted again with complainant on 13.10.2014 at 10:00AM the complainant appeared in his office and her desired information is supplied.

06. In pursuance of statement of Designated Officer (RTI) the complainant mentioned that when she contacted in the office of Designated Officer a signature was taken on a list from her. But she was not supplied any information.

07. After taking signature from the complainant why she was not given information in a query, the ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District informed that he empowered an employee of his office for issuing information by taking signature. He was informed to this effect that the information has been given properly and at the time of giving information the photograph of the complainant was taken yet the matter is not comprehensible to inform to the commission to this effect that they did not receive information.

08. In pursuance of statement of Upazila Nirbahi Officer and Designated Officer (RTI), the complainant informed that education stipends are given by bearer cheque from the office of the Upazila Nirbahi Officer. For withdrawing this money, cheques were given to Mr. Mokhles and Madan Mondal. But withdrawing the money they did not pay that. As per Right to Information Act not supplying information, her signature was taken on the said list. A group work for embezzling the money of stipends.

09. As per Right to Information (regarding information receiving) Regulation, 2009 if the commission mention the matter of information supply including certificate, signature and seal of Designated Officer (RTI), assured for duly supplying information through present Upazila Nirbahi Officer and Designated Officer (RTI).

Discussion

Hearing the statements of both complainant and opposite party and after reviewing the submitted evidences, it appeared that the complainant did not receive information. Rather her signature has been taken on a list combined with 12 persons. As per Rule-4 of Right to Information (regarding information receiving) Regulation, 2009 by certifying in each page of information no information was given affixing name, designation, signature and seal of Designated Officer. It has been provided on submitted papers. Assured to supply desired information to the complainant through present Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District. On the other hand, information commission because of not properly distributed education stipends money opined to this effect the combined complainant is needed investigation and feel necessity to direct to investigate the matter through present Upazila Nirbahi Officer.

Decision

After detailed discussion the complaint is disposed of with the following instructions.

1. The Designated Officer has been directed to provide the requested information to the complainant within next one week on the condition of paying the cost of information.
2. Because of not properly distributed the education stipends money by investigating in the matter of combined complaint-paragraph no.8 Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila is directed to send report in commission.
3. He has been directed to deposit the realized money in code no: 1-3301-0001-1807 in public treasury the cost of provided information according to section 9 of the Right to Information Act, 2009 and rule 8 of the Right to Information (regarding information receiving) Rules, 2009.
4. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 116/2014

Complainant: Ambika Golder

W/O Sankar Golder
Kormpur,
P.O: Valuka Chandpur
Police Station+ District:
Satkhira

Opposite Party: Upazila Nirbahi Officer

&
Designated Officer (RTI)
Sadar Upazila, Satkhira

Decision Paper **(Date: 29-10-2014)**

The complainant Ambika Golder submitted the complaint to the Upazila Nirbahi Officer, Sadar Upazila, Satkhira & Designated Officer (RTI) Mr. Md. Asaduzzaman on 25-05-2014 according to section 8(1) of Right to Information Act, 2009 via registered post seeking for the following information-

- **How many students of anthropological community of Dhulihar Union have been given education stipend from the Prime Minister's Office in the financial year 2013-14**

2. After that without getting any information even submission of the appeal, the complainant submitted the complaint on 27-07-2014 to Deputy Commissioner and Appellate Authority (RTI) Mr. Nazmul Ahsan, Satkhira via registered post. Without getting any remedy even submission of appeal, she filed the complaint to the Information Commission on 15-09-2014.

3. The matter was discussed in the commission's meeting on 02-10-2014. As per the decision of the meeting, summonses were issued to both parties fixing the date of hearing on 29-10-2014.

4. On the date of hearing due to the illness of Ambika Golder, her husband Sankar Golder on her behalf and opposite party Sadar Upazila Satkhira's Upazila Nirbahi Officer and Designated Officer- (RTI) [at present under Khulna District Trkhada Upazila's Nirbahi Officer] Mr. Md. Asaduzzaman were present. The complainant accused that, as per Right of Information Act. 2009 she applied for information mentioned in section 1. But getting no information or solution submitted appeal to Appellate Authority. After that without getting any remedy even after lodging the appeal, the complainant submitted the complaint to the Information Commission.

5. In the statement former Sadar Upazila Satkhira's Upazila Nirbahi Officer and Designated Officer (RTI) mentioned that, at present he has been transferred to Terokhada Upazila, under Khulna District. As, he has been summoned so he has appeared in the hearing of the commission. In his working as Sadar Upazila Satkhira's Upazila Nirbahi Officer and Designated Officer he got application

for receiving information. According to this within proper time information was prepared. After that, providing information was not possible for the cause of applicant does not contact.

06. Against the statement of Designated Officer (RTI) complainant mentioned that, when contracted with office of the Designated Officer her signature was taken. But no information was provided.

7. After taking signature from the complainant why she was not given information in a query, the ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District informed that he empowered an employee of his office for issuing information by taking signature. He was informed to this effect that the information has been given properly and at the time of giving information the photograph of the complainant is taken yet the matter is not comprehensible to inform to the commission to this effect that they did not receive information.

8. In pursuance of statement of Upazila Nirbahi Officer and Designated Officer (RTI), the complainant informed that education stipends are given by bearer cheque from the office of the Upazila Nirbahi Officer. For withdrawing this money, cheques were given to Mr. Mokhles and Madan Mondal. But withdrawing the money they did not pay that. As per Right to Information Act not supplying information, her signature was taken on the said list. A group work for embezzling the money of stipends.

9. As per information rights (receiving information) regulation act 2009 seal and signature with certificate whenever present to Upazila Nirbahi Officer (RTI) office he has given surety of providing the information correctly.

Discussion

Hearing the statements of both and reviewing the submitted evidences it was found that the complainant did not receive information. Signature has been taken on a list of 12 persons. as per rule-4 of Right to Information (receiving information) Rules 2009 its seal and signature prior issuing certificate of every page of information, no information was provided. Ex Satkhira Upazila Nirbahi Officer and Designated Officer (RTI) ensured to supply the correct information through the present Upazila Nirbahi Officer. On the other hand, Information Commission opined that an enquiry should take place as the money was not distributed properly and the present Upazila Nirbahi Officer should conduct the enquiry.

Decision

After detail discussion the complaint is disposed of with following directions-

1. The Designated Officer (RTI) is directed to provide the requested information within one week on the condition of paying the cost of information.
2. The Upazila Nirbahi Officer of Satkhira Sadar Upazila and the Designated Officer (RTI) is directed to enquire into the complaint of not proper distribution of education stipend money in para 8 and inform the commission.

3. The Designated Officer (RTI) has been directed to deposit the money in code no 1-3301-0001-1807 in public treasury the cost of the provided information according to section 9 of the Right to Information Act, 2009 and rule 8 of Right to Information (Information finding related) Rules, 2009.
4. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof.: Dr. Khurshida Begum
Sayeed)
Information Commissioner

Signed /-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 117/2014

Complainant: Shantana Golder

D/O. Dulal Golder
Komorpur,
P.O: Bhaluka Chandpur
P.S+Dist: Satkhira

Opposite Party: Upazila Nirbahi Officer

&
Designated Officer (RTI)
Sadar Upazila, Satkhira.

Decision Paper **(Date: 29-10-2014)**

The complainant Shantana Golder prayed to Upazila Nirbahi Officer and Designated Officer (RTI) of Satkhira Sadar Upazila Mr. Md. Asaduzzaman by registered post on 25.05.2014 as per Section-8(1) of Right to Information Act, 2009 through seeking for the following information.

- **How many leg run puller van have been distributed amongst whom at Dhulihor Union of Sadar Upazila for development of Anthropological Community for the fiscal year 2013-14 from the office of the Prime Minister, its name list and information regarding policy.**

02. Having not found the desired information within fixed time, the complainant appealed to Mr. Nazmul Ahsan, Deputy Commissioner and Appellate Authority (RTI), Satkhira through registered post on 27.07.2014. After that without getting any remedy, she filed complaint to the Information Commission on 15.09.2015.

03. The matter was discussed in the meeting of the commission on 02.10.2014. As per decision of the meeting summonses were issued to the parties concerned fixing the date of hearing on 29.10.2014.

04. On the fixed date of hearing, the complainant Shantana Golder is absent but the opposite party ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District [at present Upazila Executive Officer of Terokhada Upazila of Khulna district] Mr. Md. Asaduzzaman is present. Ex Upazila Nirbahi Officer and Designated Officer (RTI) of Sadar Upazila of Satkhira District in his statement mentioned that at present he has been transferred to Terokhada Upazila of Khulna District. Because of issuing summon in his name he appeared in hearing of the commission. At the time of remaining on duty as Upazila Executive Officer of Sadar Upazila of Satkhira he obtained prayer of receiving information, according to that the information is prepared in due time. But subsequently

because of not contacting the petitioner it was not possible to give information. After issuing summon he contacted again with complainant on 13.10.2014 at 10:00AM the complainant appeared in his office and his desired information is supplied.

05. As per the Right to Information (regarding information receiving) Regulation, 2009 by receiving information value if mention in commission the matter of certificate, signature and seal including information supplying of Designated Officer gave assurance of duly information supply through the present Designated Officer (RTI).

Discussion

Hearing the statement of opposite party and after reviewing the submitted evidences, it appeared that the complainant did not receive information. Although her signature is taken on the list regarding van supply as per Rule-4 of Information Right (regarding information receiving) Regulation, 2009 by certifying in each page no information was given affixing name, designation, signature and seal of Designated Officer. Because of assuring to supply his certificate, signature and seal including information through present Upazila Nirbahi Officer and Designated Officer (RTI), of Sadar Upazila of Satkhira District Upazila Nirbahi Officer and Designated Officer (RTI) the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following instructions.

1. The Designated Officer has been directed to provide the requested information to the complainant within next one week on the condition of paying the cost of information.
2. He has been directed to deposit the realized money in code no: 1-3301-0001-1807 in public treasury the cost of provided information according to section 9 of the Right to Information Act, 2009 and rule 8 of the Right to Information (regarding information receiving) Rules, 2009.
3. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 118/2014

Complainant: Mr. Ashim Kumar Das
S/O Kodom Lal Das
Village: Atrai, P.O: Joala
Police Station: Tala,
District: Satkhira

Opposite Party: Mr. Khondoker Kamrul Alam
Assistant Settlement Officer
&
Designated Officer (RTI)
Settlement Office, Tala, Satkhira

Decision Paper **(Date: 30-10-2014)**

The complainant Mr. Ashim Kumar Das submitted the application to the Assistant Settlement Officer and Designated Officer (RTI), Settlement Office, Tala, Satkhira on 05-06-2014 according to section 8(1) of Right to Information Act, 2009 seeking for following information-

- **Information as per current section 30 to file a case how much money has been fixed by government.**
- **Information as per current section 30 how many l working days is needed to dispose of a case legally.**
- **Information as per current section 30, lands are recorded based on documentations.**
- **Information of how many Sub Assistant Settlement Officers have been appointed at sadar union of Tala Upazill in disposing of current section 30.**

02. Within specific period of time not getting any information the complainant filed an appeal to Mr. Monoruzzaman, Zonal Settlement Officer and Appellate Authority (RTI), Khulna Zone, Bayra, Khulna by a registered post. After appeal application not getting any solution, he submitted complaint to Information Commission on 15-09-2014.

03. The matter was discussed in the commission's meeting on 02-10-2014. As per decision of the meeting, summonses were issued to the parties concerned fixing the date of hearing on 30-10-2014.

04. On the date of hearing, the complainant was absent sending a letter to the commission but the opposite party Mr. Khondoker Kamrul Alam Assistant Settlement Officer and the Designated Officer (RTI) Settlement Office, Tala, Satkhira and learned Advocate Mr. Shamsur Rahman was present on his behalf. The Designated Officer (RTI) mentioned that, the complainant's requested information has been provided.

05. The complainant informed the Information Commission by sending letter that he has been provided with his prayed information. At present he has no complain and he has requested to settle the case.

Discussion

Hearing the statement of the opposite party and reviewing the document it was found that the complainant has received the information he sought for. So, the case seems to be disposable.

Decision

As, the complainant has got his requested information has found, and requested to settle the complaint, so, the complaint is disposed of.

Let the copy be sent to the concerned parties.

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 119/2014

Complainant: Mr. Abul Kashem Al Asad

(Foysal)

S/O Late Abdus Sobhan
393, Jollarpara (Main Road)
Post & Police Station- Sadar
Sylhet
District: Sylhet

Opposite Party: Mr. Md. Nurul Alam

Assistant Wakfa
Administrator
And
Designated Officer (RTI)
Wakfa Babhan, 4
New Eskaton Road
Dhaka-1000

Decision Paper

(Date: 30-10-2014)

The complainant Mr. Abul Kashem Asad (Foysal) informed the commission in his complaint on 15-09-2014 that after giving the direction from the commission in the complaint No- 56/2014, Assistant Wakfa Administrator and the Designated Officer (RTI) Mr. Md. Nurul Alam did not provide the requested information. He prayed justice in the commission.

02. The matter was discussed in commission's meeting on 02-10-2014. As per the decision of the meeting summonses were issued to the parties fixing the date of hearing on 30-10-2014.

03. On the date of hearing Mr. Abul Kashem Asad (Foysal) is present. The opposite party Assistant Wakfa Administrator and the Designated Officer (RTI) Mr. Md. Nurul Alam and Advocate Md. Harun-or-Rashid on his behalf are present. The complainant mentioned that, at the time of hearing in complaint No- 56/2014 the Designated Officer (RTI) informed that 1st part of E,C No-15509 have not been preserved in his office. The commission ordered to inform the complainant that the office did not have the information. The Designated Officer (RTI) informed that, as they have not the requested information in E, C no-15509, so, he is unable to provide the information.

04. The Assistant Administrator and the Designated Officer (RTI) in his statement mentioned that, the complainant have been provided the information that he sought for vide memo no: 369 on 12-08-2014. Subsequently, during the hearing he informed that 1st part of EC 15509 is not reserved in his office.

Discussion

Hearing the statements of both the parties and reviewing the submitted evidences it was noticed that the complainant is not satisfied with the information he has provided with. The Designated Officer informed the complainant that he did not have the information E,C No-15509 in his office. But the complainant wanted to know whether the 1st part of E,C-15509 was available in his office. The Designated Officer (RTI) gave surety to provide the same so, the case seems to be disposable.

Decision

The complainant is disposed of with the following directions:-

- 1) The Designated Officer is directed to provide the information that 1st part of E, C No-15509 is not available in his office within next one week.
- 2) The Designated Officer (RTI) has been directed to deposit the realized money in code: 1-3301-0001-1807 in public treasury the cost of the provided information according to the section -9 of the Right to Information Act, 2009 and rule-8 of the Right to Information (Information finding related) Rules, 2009.
- 3) Both the parties are directed to inform the commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 120/2014

Complainant: Mr. Abul Kashem Al Asad

(Foyzal)
S/O Late Abdus Sobhan
393, Jollarpara (Main Road)
Post & Police Station- Sadar
Sylhet, District: Sylhet

Opposite Party: Mr. Md. Nurul Alam

Assistant Wakfa
Administrator
And
Designated Officer (RTI)
Wakfa Babhan, 4, New
Eskaton Road, Dhaka-1000

Decision Paper

(Date: 30-10-2014)

The complainant Mr. Abul Kashem Al Asad (Foyzal) submitted the application to Assistant Wakfa Administrator and the Designated Officer (RTI) Mr. Md. Nurul Alam on 15-09-2014 seeking for the following information according to section 8(1) of the Right to Information Act, 2009-

- **Office of the Bangladesh Wakfa Administrator, Dhaka Office E. C No- 15509 (Hazi Abdur Rahman Wakfa Estate) Sylhet From its E.C File (7th Part) Order sheet's Page No- 110, paragraph No-341, year-2011 from January to 08-05-2013 up to paragraph No 439 written within 25 pages (preserved) written within 88 paragraph all of information description printed (written) and photocopy in both method copies are needed.**

02. Bangladesh Wakfa Administrator's Assistant Administrator and the Designated Officer (RTI) Mr. Md. Kamruzzaman issued notice on 25-09-2013 vide memo No- O: Pro/Si: Su/E.C No 15509 (8 Part) by expressing his inability to provide information. After that the complainant filed an appeal to Secretary of Ministry of Religion Affairs and Appellate Authority (RTI) Mr. Kazi Habibul Awal on 20-11-2013. The Appellate Authority (RTI) vindicated the decision of the Designated Office after hearing. After that, on 15-09-2014 he submitted complaint to the Information Commission on 15-09-2014.

03. The matter was discussed in commission's meeting on 02-10-2014. As per the decision of the meeting, summonses were issued to both the parties fixing the date of hearing on 30-10-2014.

04. On the date of hearing the complainant Mr. Abul Kashem Asad (Foyzal) is present. Opposite party Wakfa Administrator's Assistant Administrator and the Designated Officer (RTI) Mr. Nurul Alam and on Mr Md. Harun-Or Rashid, learned Advocate on his behalf are present. The complainant in his statement mentioned that, he applied to the Designated Officer (RTI) seeking for information mentioned in paragraph 1 as per the Right to Information Act. 2009. The Designated did not supply the information of copy of note sheet citing the rule 332 of the Record Manual Act, 1943. He then filed an appeal to the Appellate Authority. After filling the appeal, the Appellate Authority vindicated the decision of the Designated Officer. He then filed the complaint to the Information Commission. Moreover, he mentioned that, Wakfa Administrator functions as civil court, under the Code of Civil

Procedure, 1908. He claimed that the note sheet of civil court is used as order sheet, so, he can get the information.

05. Bangladesh Wakfa Administrator's Assistant Administrator and the Designated Officer (RTI) in his statement mentioned that, as per the provision of the Right to Information Act, 2009 note sheet is not information. So, he could not provide the information.

06. The commission express its view that, note sheet and order sheet is not the same. Wakfa Administrator functions as per the Code of Civil Procedure 1908, so civil rules and orders or record manual should be provided. He can apply for certified copy of concerned court. The Designated Officer (RTI) agreed to provide the information if the complainant apply for the certified copy of the concerned court.

Discussion

After hearing of statement of both the parties and reviewing the submitted evidences it appears that the Designated Officer (RTI) did not provide the information considering the information as note sheet. But, note sheet and order sheet is not the same. As the activities of the Wakfa Estate is run under the Code of Civil Procedure, so, the complainant can apply for the certified copy of civil rules and orders or record manual in concerned court. As the Designated Officer agreed to provide the information if the complainant applied for the certified copy so, the case seems to be disposable. It is notable that according to the section 3 (a) of the Right to Information Act, 2009 the provisions of providing information shall not be affected by the provisions of this act.

Decision

The complaint is disposed of with the following directions:-

1. According to the section 3 (a) of the Right to Information Act, 2009 the provisions of providing information shall not be affected by the provisions of this act. As, the activities of the Wakfa Estate is run under the Code of Civil Procedure, so, according to the civil rules and orders, copy of order sheet of the Wakfa Administrator is providable. So, the complaint is disposed of with the order to supply the certified copy to the complainant.
2. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 121/2014

Complainant: Kari Md. Elias Ali

S/O – Kari Hasmot Ali
Village + P.O: Mosera
Post Code No-2300
Hossainpur, Kishoregonj

Opposite Party: Mr. Golam Mahbub

Sub-Registrar
&
Designated Officer (RTI)
Upazila- Nandail
District- Mymensingh

Decision Paper

(Date: 24-11-2014)

The complainant Kari Md. Elias Ali subject to complaint No 82/2013, 13/2014 and 54/2014 submitted complaint to the Information Commission again against District- Mymensingh Upazila- Nandail Sub-Registrar and the Designated Officer (RTI) Mr. Golam Mahbub on 16-09-2014. In his complaint he has mentioned that after hearing of complaint No 82/2013, 13/2014 and 54/2014 after hearing, the Designated Officer (RTI) provided information which is not his requested information. Not getting his prayed information again submitted complaints in Information Commission.

02. The subject was discussed in commission's meeting on 02-10-2014. As per decision of the meeting summonses were issued to both parties fixing the date of hearing on 30-10-2014.

03. Both the parties are present in the hearing. The complainant mentioned that, he has prayed for inspection report. But not giving inspection report he has been given memorandum letter. On behalf of the Designated Officer (RTI) his advocate mentioned that, he wanted to give information on 16-07-2014 but the complainant did not receive. After that, it was sent by post. Today he brings 42 pages of information, besides this there is more information in his office. The complainant mentioned that, Kazi Shamsuddin Nikah Registrar Nandail, became Kazi by submitting false certificate. For this reason he submitted an application to the Deputy Commissioner to cancel his licence. The Deputy Commissioner ordered the Upazila Nirbahi Officer for enquiry. After submission of the enquiry report by the Upazila Nirbahi Officer, the complainant gave dispute in it. The Deputy Commissioner ordered the District Registrar to enquire about the matter. The District Registrar ordered the Upazila Sub-Registrar Nandail. The complainant wants to see that's inspection report. Learned Advocate mentioned that except 42 pages of information he has no more information. To be sure whether the inspection was done the commission think to see the receive/dispatch register. In this circumstances, the commission issued summonses to both parties fixing the date of hearing on 24-11-2014.

04. On the date of hearing the complainant Kari Md. Elias Ali is present. Opposite party Sub-Registrar of Nandail Upazila, District- Mymensingh, and the Designated Officer Golam Mahbub is present along with his learned Advocate Anisur Rahman. In his statement the complainant told that the information was provided by the Designated Officer (RTI) was not his prayed information. For this reason he lodged complaint again to the Information commission.

05. Opposite party the Designated Officer (RTI) in his statement mentioned that, 08 month back he has joined in this office. He requested the complainant to submit written application for information but he did not do that. As per the instruction of the commission in hearing of complaint No-54/2014 42 page information was provided by registered post. On behalf of the Designated Officer, Golam Mahbub, his learned Advocate Anisur Rahman in his statement said that, as per instruction of the commission on 30-10-2014 he has brought four registers of 2011 and 2012. He has no letter of Ministry of Law in his office.

06. After perusal the registers by commission it is found that a letter serial No-138 on date 13-10-2010 vide memo No- 2711 from District Registrar Office within 7 days to submit inspection report and letter in serial No-142 of dated 01-11-2010 given notice to Maw: Kari Md. Elias to give witness regarding inspection of cancelling Nikah Registrar of No-3 Nandail Union. But whether the enquiry was conducted or not, it was not clear.

Discussion

Hearing the statements of both the complainant and opposite party and reviewing the submitted evidences it was noticed that the Designated Officer (RTI) has provided the information that he has in his office. Moreover, there is no other information in his office. After perusal the registers it was noticed that notice for enquiry was served but there was no proof whether the enquiry was done. So, the complainant may be directed to apply to the Designated Officer (RTI) for his required information.

Decision

After detailed discussion the complaint is disposed of with the following direction:

1. The complainant is disposed of with the direction to the complainant to apply to the Designated Officer (RTI) of the office of the Deputy Commissioner for his required information.

Let the copy be sent to the concerned parties.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarker)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 122/2014

Complainant: Mawlana Kari Md. Elias

S/O. Kari Hasmot Ali
Vill+ P.O: Machera
Post Code No. 2300
Hossainpur, Kishoreganj

Opposite Party: Mr. Md. Abdul Wadud

**Deputy Director
&
Designated Officer (RTI)
Ismalic Foundation
Kishoreganj.**

Decision Paper (Date: 30-10-2014)

The complainant Mawlana Kari Md. Elias filed complaint again to the Information Commission on 16.09.2014 against Deputy Director and Designated Officer (RTI) of Islamic Foundation, Kishoreganj Md. Abdul Wadud in the matter of complaint no. 94/2013 submitted by him through the decision was given to provide information by the commission because of not providing information.

02. The matter was discussed in the meeting of commission on 02.10.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

03. On fixed date of hearing the complainant Moulana Kari Md. Elias is present. The opposite party Deputy Director and Designated Officer (RTI) of Islamic Foundation, Kishoreganj Mr. Md. Abdul Wadud is present. The complainant mentioned in his statement that in the matter of complaint no. 94/2013 although the decision is taken to provide information, Deputy Director and Designated Officer (RTI) of Islamic Foundation, Kishoreganj Mr. Md. Abdul Wadud because of not providing information complaint was lodged again to the Information Commission against him. He mentioned more that when he was a teacher of mass education function based on mosque his appointment was revoked without any cause. Why his appointment was revoked he was not given information.

04. The opposite party Deputy Director and Designated Officer (RTI) of Islamic Foundation, Kishoreganj mentioned in his statement that when the complainant was sacked from his post at that time he was not on duty in Kishoreganj. If the complainant supply appointment letter and joining letter as his teacher, to the Designated Officer (RTI) the complainant will be supplied his desired information to this effect the decision is given by the commission. But because of the complainant not supplying his appointment and joining letter it was not possible to provide his proper information. He more mentioned that the copy of order of revocation of appointment was not preserved in his office. In pursuance of verbal order abiding this rule of no work no pay the complainant was employed as a

teacher. There was no joining letter. But the complainant during the period of remaining teacher because of not remaining name in honorarium list he regularly obtained salary. If remain absent in the school giving show cause notice the opportunity of hearing is given. Whether the complainant was given this type of notice in this regard no document is available in the file.

05. The name of the complainant in the list of honorarium of the teacher is available. So, he was on duty as a teacher. Reviewing the record letter shall have to provide proper information to the complainant, if does not remain information shall have to inform that in written to this effect as the commission mentioned, the Designated Officer (RTI) agreed on that.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it appeared that the complainant because of not supplying appointment letter and joining letter as teacher to the Designated Officer, the Designated Officer could not supply information the complainant. Because of remaining the name of complainant in the list of honorarium of the teacher it seemed that he was on duty as teacher. Reviewing the record letter if does not remain providing proper information and information to the complainant for informing that in written because of the Designated Officer (RTI) giving assurance the complainant seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. Whether the complaint was on duty under any project, whether subsequently obtained re-appointment, whether sacked by reviewing its record letter shall have to supply to the complainant by next 15 days from date of receipt of order. If does not remain information the Deputy Director and Designated Officer (RTI) of Islamic Foundation, Kishoreganj is directed to inform that in written.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 as per Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 123/2014

Complainant: Mr. Md. Nazrul Islam Azhar

Editor & Publisher
Weekly Banglabhumi
Razbari Road, Joydebpur
Gazipur.

Opposite Party: Dr. Md. Saiful Islam

Chief Scientific Officer
&
Designated Officer (RTI)
Bangladesh Agriculture
Research Institute
Joydebpur, Gazipur.

Decision Paper **(Date: 24-11-2014)**

As per Right to Information Act, 2009 because of not employing Designated Officer in Bangladesh Agriculture Research Institute, Joydebpur, Gazipur the complainant Mr. Md. Nazrul Islam Azhar filed complaint to the Information commission. In the complaint he mentioned that because of not remaining Designated Officer (RTI) seeking information to other officers was not obtained. In this matter he prayed to commission to take necessary action.

02. The matter was discussed in the meeting of commission on 02.10.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

03. The Designated Officer (RTI) applied for time. The time prayer was allowed by the commission and fixing hearing date again on 24.11.2014 and the summonses were issued to the complainant and Designated Officer (RTI).

04. On fixed date of hearing the complainant Mr. Md. Nazrul Islam Azhar and opposite party Chief Scientific Officer and Designated Officer (RTI) of Bangladesh Agriculture Research Institute Dr. Md. Saiful Islam appeared. The complainant in his statement mentioned that because of not remaining Designated Officer seeking for information to other officers was not obtained, so, he filed complainant in the commission.

05. The opposite party Chief Scientific Officer and Designated Officer (RTI) of Bangladesh Agriculture Research Institute in his statement mentioned that he was appointed Designated Officer (RTI) on 20.02.2014. The name, designation of Designated Officer (RTI) have been mentioned on their website. Today he has come with appointment letter of Designated Officer (RTI).

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it appeared that the Designated Officer (RTI) of Bangladesh Agriculture Research Institute has been appointed. Because of appointing the Designated Officer (RTI) the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following manner.

Since, the Designated Officer (RTI) has been appointed, so, the complaint is disposed of with dismissal order.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 124/2014

Complainant: Mr. Md. Nazrul Islam Azhar

Editor & Publisher
Weekly Banglabhumi
Razbari Road,
Joydebpur, Gazipur

Opposite Party: Mr. Md. Shahjahan Kabir

Director (Admin)
&
Designated Officer (RTI)
Bangladesh Agriculture
Research Institute
Gazipur.

Decision Paper (Date: 30-10-2014)

The complainant Mr. Md. Nazrul Islam Azhar filed petition on 17.06.2014 to Director and Designated Officer (RTI) of Bangladesh Rice Research Institute, Gazipur seeking for the following information as per Section-8(1) of Right to Information Act, 2009.

- **Photocopy or computer compose of the report of investigation committee in the matter of stealing of copper cable at night on 5th March, 2014 from the room of second floor of 'Department of Building & Constriction' of Bangladesh Rice Research Institute, Head Office, Gazipur.**

02. In pursuance of petition for information the Director (Administration and General Service) and Designated Officer (RTI) of Bangladesh Paddy Research Institute, Gazipur Mr. Md. Shahjahan issued notice of inability to supply information through memo no. M-1(3)/2682, dated: 07.07.2014. Subsequently having not found desired information he appealed to Director General and Appellate Authority (RTI) of Bangladesh Rice Research Institute, Gazipur Mr. Jibon Krishna Biswas on 05.08.2014. After filing appeal having not found any remedy he submitted complaint to the Information Commission on 23.09.2014.

03. The matter was discussed in the meeting of commission on 02.10.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

04. On the fixed date of hearing the complainant Mr. Md. Nazrul Islam Azhar appeared. The opposite party Director (Admin) and Designated Officer (RTI) of Bangladesh Rice Research Institute, Gazipur Mr. Md. Shahjahan Kabir appeared. The complainant in his statement mentioned that as per Right to Information Act, 2009 he filed petition to the Designated Officer (RTI) seeking for the information mentioned in paragraph no. 01. The Designated Officer (RTI) issued notice of inability to supply the information, he appealed to the Appellate Authority (RTI). After filing appeal having not found any remedy he submitted complaint to the Information Commission.

05. The opposite party Director (Admin) and Designated Officer (RTI) of Bangladesh Rice Research Institute, Gazipur Mr. Md. Shahjahan Kabir in his statement mentioned that the complainant sought a report of investigation committee in the matter of occurrence of a stealing. When he prayed for receiving information then that was under preliminary investigation, at present the preliminary investigation of stealing occurrence has been completed and the departmental proceeding has been started against the concerned employee. The matter of desired information of the complainant could be harmful to the investigation process so, because of including the Sub-Section (Tha) of Section-7 of Right to Information Act, 2009 it was not possible to supply information to him.

06. After preliminary investigation due to the investigation committee submitted the information report and because of accepted that, as per statement of Section-7(Tha) because of not remaining any possibility to harm to the said investigation process, the commission gave opinion to this effect that the desired information can be supplied. As per Right to Information Act, 2009 the commission mentioned to supply the complainant this information, the designated officer (RTI) agreed on that.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it appeared that the complainant's requested information by considering the information under investigation as per Section-7 (Tha) the Designated Officer did not supply complainant his requested information. But after preliminary investigation due to investigation committee submitted investigation report and because of accepted it by the authority because of not remaining any opportunity to harm the said investigation process, the desired information can be supplied. As per direction of the Information Commission because of the Designated Officer (RTI) assured to supply the complainant desired information, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. The Director (Admin) and Designated Officer (RTI) of Bangladesh Rice Research Institute is directed to supply complainant his desired information by next 15 days from date of hearing subject to pay the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 as per Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 125/2014

Complainant: Mr.Md. Nazrul Islam Azhar

Editor & Publisher
Weekly Banglabhumi
Razbari Road,
Joydebpur, Gazipur

Opposite Party: Mr. Md. Saiful Islam

Chief Scientific Officer
&
Designated Officer (RTI)
Bangladesh Agriculture
Research Institute
Joydebpur Gazipur.

Decision Paper **(Date: 24-11-2014)**

The complainant lodged petition on 17.06.2014 to Chief Scientific Officer and Designated Officer (RTI) of Bangladesh Agriculture Research Institute, Gazipur Mr. Md. Mostafizur Rahman, seeking for the following information as per Section-8(1) of Right to Information Act, 2009.

- **By executive direction of the Administration Bangladesh Agriculture Research Institute, Joydebpur, Gazipur from 1st January, 2014 to 30th June, 2014 how many labours have been employed by subsequent direction in the Sub-Station of all districts including head office, its, detailed information. How much legality to employ the labour by executive order?**

02. Having not found desired information within fixed time the complainant appealed to Dr. Rafiqul Islam Mondol, Director General and Appellate Authority (RTI) of Bangladesh Agriculture Research Institute, Gazipur through registered post on 19.08.2014. After filing appeal having not found any remedy he filed complaint to the Information Commission on 23.09.2014.

03. The matter was discussed in the meeting on 02.10.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

04. The Designated Officer (RTI) prayed for time. The time prayer was allowed by the Commission and fixing the date of hearing again on 24.11.2014 and summonses were issued to the complainant and Designated Officer (RTI).

05. On hearing date fixed for hearing, the complainant Mr. Md. Nazrul Islam Azhar and the opposite party Dr. Md. Saiful Islam, Chief Scientific Officer and Designated Officer (RTI) of Bangladesh Agriculture Research Institute appeared. The complainant mentioned in his statement that as per Right to Information Act, 2009, he submitted petition to the Designated Officer (RTI) seeking

for the information mentioned in paragraph no. 01). The Designated Officer (RTI) because of not supplying information he appealed to the Appellate Authority (RTI). After filing appeal having not found any remedy he filed complainant in Information Commission.

06. The opposite party Chief Scientific Officer and Designated Officer (RTI) of Bangladesh Agriculture Research Institute mentioned in his statement that no prayer for receiving information was done to him. Because of remaining error in the name and designation of the Designated Officer (RTI) as per law by mentioning the name, designation of the proper Designated Officer (RTI) on 25.08.2014, he requested to contact to the concerned Designated Officer (RTI). But the complainant did not make any contact with him in this regard. On the basis of summon of the Commission being informed he came with the desired information of the complainant and assured to supply that.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it appeared that because of remaining error in the name and designation of the Designated Officer (RTI) the Designated Officer (RTI) was not obtained the prayer of receiving of information. On the basis of summon of the Commission being informed he came with the desired information of the complainant. The Designated Officer (RTI) because of assuring to supply the desired information of the complainant, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. The Chief Scientific Officer and Designated Officer (RTI) of Bangladesh Agriculture Research Institute is directed to supply complainant his desired information as per Right to Information Act, 2009 subject to pay the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 as per Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 126/2014

Complainant: Mr. Md. Nowsher Ali

Vill: North Harirampur
P.O: Belaichandi
P.S: Parbotipur,
Dist: Dinajpur.

Opposite Party: Commander

16 Grenadier Brig.
Bir Uttam Shahid Mahbub
Cantonment
Kholahati, Parbotipur
Dinajpur.

Decision Paper **(Date: 30-10-2014)**

The complainant Mr. Md. Nowsher Ali in the matter of his submitted complaint no. 36/2014 filed complaint to the Information Commission against Commander, 16 Infantry Brig. Bir Uttam Shahid Mahabub Cantonment, Kholahati, Parbotipur, Dinajpur on 29.09.2014. In the complaint he mentioned that after hearing in the matter of complaint no. 36/2014 as per decision the Designated Officer (RTI) was not appointed till today in 16 Grenadier Brig. Bir Uttam Shahid Mahabub Cantonment, Kholahati, Parbotipur, Dinajpur. As per rule the complainant filed complaint again to the Information Commission to take legal action.

02. The matter was discussed in the meeting on 02.10.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

03. On the date of hearing the complainant Mr. Md. Nowsher Ali appeared. The opposite party Commander, 16 Grenadier Brig. Bir Uttam Shahid Mahabub Cantonment, Kholahati, Parbotipur, Dinajpur is absent. The complainant in his statement mentioned that he served 17 years. He has been sacked from service. Why he has been sacked and on the basis of his prayer what action has been taken he could not know that. For knowing these information because of not employing Designated Officer (RTI) in 16 Infantry Brig. Bir Uttam Shahid Mahabub Cantonment, Kholahati, Parbotipur, Dinajpur he filed the complaint.

04. As per Right to Information Act, 2009 for appointing Designated Officer (RTI) in Bir Uttam Shahid Mahabub Cantonment the Commission gave opinion to send letters to General Officer Commanding, Rangpur Cantonment, Rangpur and Ministry of Defence.

Discussion

After hearing the statement of complainant and reviewing the submitted evidences it appeared that no Designated Officer (RTI) was appointed in Bir Uttam Shahid Mahbub Cantonment by the Ministry of Defence or Army Force. As per Section-10 of Right to Information Act, 2009 every authority shall appoint Designated Officer (RTI) within 60 (sixty) days of enacting the law. Since, the Designated Officer (RTI) was not appointed, so, as per Right to Information Act, by sending letter to the concerned authority for appointing the Designated Officer (RTI) the complaint can be settled and serving the copy of letter to the higher authority to ensure the appointment of the Designated Officer.

Decision

After detailed discussion the complaint is disposed of with the following directions.

1. The General Officer Commanding, Rangpur Cantonment, Rangpur and Secretary, Ministry of Defence are directed to appoint Designated Officer (RTI) in Bir Uttam Shahid Mahabub Cantonment.
2. Both parties are directed to inform the information commission after implementing the direction.

Let the copy be sent to the concerned parties.

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 127/2014

Complainant: Mr. Md. Abdur Rashid

S/O. Md. Yead Ali Mridha
House No. 18, Road No. 3/A,
Sector-9, Uttara
Dhaka.

Opposite Party: Mr. Md. Masud Ahmed

Chief Monitoring
&
Designated Officer (RTI)
Water Development Board
Wapda Bhaban
Motijheel C/A, Dhaka.

Decision Paper **(Date: 30-10-2014)**

The complainant in the matter of his submitted complaint no. 61/2014 filed complaint to the Information Commission against Mr. Md. Masud Ahmed, Office of the Chief Monitoring, Water Development Board, WAPDA Bhaban, Motijheel C/A, Dhaka-1000 on 29.09.2014. In the complaint he mentioned that after hearing in the matter of complaint no. 61/2014, as per decision the information supplied in memo no. Chief Moni/I-15/726, dated-10.09.2014 by Assistant Director of office of the Chief Monitoring of Water Development Board Mr. Md. Monirul Islam is non-transparent, erroneous. In the given information because of not becoming supplementary answer of question of desired information, the complainant filed complaint again to the Information Commission to get his desired information.

02. The matter was discussed in the meeting on 02.10.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

03. On the date of hearing the complainant Mr. Md. Abdur Rashid and Learned Advocate Mr. Masud Ahmed on behalf of opposite party Chief Monitoring & Designated Officer (RTI) of Water Development Board appeared. The complainant in his statement mentioned that after last hearing in the matter of complaint no. 92/2014 as per decision, Chief Monitoring of Water Development Board because of not supplying proper information he filed complaint again to the Information Commission.

04. The opposite party Learned Advocate Mr. Md. Masud Ahmed on behalf of Chief Monitoring & Designated Officer (RTI) of Water Development Board mentioned in his statement that after hearing in the matter of complaint no. 92/2014 a decision was taken to supply information within 20 working days. 20 working days was not expired yet, so, as per decision of complaint no. 92/2014 assured to supply information within 20 working days.

Discussion

After hearing the statement of both complainant and opposite party and after reviewing the submitted evidences it is appeared that after hearing in the matter of complaint no. 92/2014 as per taken decision 20 working days was not expired yet, so, the complaint seems to be disposable.

Decision

After detailed discussion the complaint disposed of with the following directions:

1. As per decision of complaint no. 92/2014 as per direction to Chief Monitoring & Designated Officer (RTI) of Water Development Board because of not passing the specific time, upholding the said order this complaint is dismissed subject to pay the cost of information.
2. Both parties are directed to inform the Information Commission after implementing the direction given in the complaint no. 92/2014.

Let the copy be sent to the concerned parties.

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 128/2014

Complainant: Mr. Md. Abdul Hoque

S/O. Hazi Md. Abdul Hakim
Harua East Fishery Road
Kishoreganj.

Opposite Party: Khandoker Kamrul Alam

Sub Registrar
&
Designated Officer (RTI)
Upazila: Katiadi
Dist: Kishoreganj

Decision Paper **(Date: 30-10-2014)**

The complainant filed petition by registered post on 05.05.2014 to Sub Registrar and Designated Officer (RTI) of Katiadi Upazila of Kishoreganj District seeking for the following information as per Section-8(1) of Right to Information Act, 2009.

- **After executing registry of deed no. 4364, dated: 27.06.2004, deed no. 5070, dated: 17.07.2003, deed no. 5980, dated: 30.08.2001 with Katiadi Sub Registry Office, the LT notices of the said registered deeds were sent to Assistant Commissioner (Land), Katiadi, Kishoreganj in which memo, what is its date and photocopy of this memos.**

02. Having not found the desired information within the specific time the complainant appealed to District Registrar of Kishoreganj District and Appellate Authority (RTI), Sheikh Md. Anowarul Hoque on 31.07.2014 by registered post. After filing appeal having not found any remedy he submitted complaint to the Information Commission on 29.09.2014.

03. The matter was discussed in the meeting of the commission on 02.10.2014. As per decision of the meeting, summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

04. On the date of hearing the complainant Mr. Md. Abdul Hoque appeared. The opposite party Sub Registrar and Designated Officer (RTI) of Katiadi Upazila of Kishoreganj District remained absent in Information Commission with the letter for supplying information.

Discussion

After reviewing the submitted evidence of the opposite party it appeared that the Designated Officer has supplied the complainant his desired information and the complainant has obtained his desired information, so, the complainant seems to be disposable.

Decision

Since, the Designated Officer (RTI) has supplied the complainant his desired information, so, the complainant is disposed of.

Let the copy be sent to the concerned parties.

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 129/2014

Complainant: Mr. Md. Kutub Uddin

S/O. Late Moulvi Shafiuddin
E-34, West Side of RAB-2
Agargaon, Dhaka-1027

Opposite Party: Deputy Director

&
Designated Officer (RTI)
Department of Primary
Education
Section-2, Mirpur, Dhaka.

Decision Paper **(Date: 09-12-2014)**

The complainant Mr. Md. Kutub Uddin lodged petition by registered post on 18.06.2014 to Education Officer and Designated Officer (RTI) of Department of Primary Education Mr. Hossain Mohammad Emran seeking for the following information as per Section-8(1) of Right to Information Act, 2009:

- (1) The information regarding a cradle, a balance and a slippery establishment for mini Child Park of six Primary Schools mentioned in the light of DO Letter (Copy enclosed) of ex Hon'ble Member of Parliament Mr. Md. Shahid Uddin Chowdhury Anny 276, Lakshmipur-3 of the 9th Parliament submitted on last 13.03.2013.**
- (2) In which Primary School Cradle, Balance, Slippery etc have been established through Primary Education Development Program (up to 2004-2005) its list including information.**
- (3) The resolution of the meeting held in the matter under Primary Education Development Program for the fiscal year 2012-2013 and 2013-2014.**
- (4) The information regarding amount of total money allotted in the project and the amount of money allotted up to the fiscal year 2013-2014.**

02. Having not found desired information within the specific time the complainant appealed to the Secretary and Appellate Authority (RTI) of the Ministry of Primary and Mass Education through registered post on 17.08.2014. After filing appeal having not found any remedy he submitted complaint to the Information Commission on 30.09.2014.

03. The matter was discussed in the meeting of commission on 16.11.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 30.10.2014.

04. On the fixed date of hearing the complainant Mr. Md. Kutub Uddin and the opposite party Education Officer of Department of Primary Education Mr. Hossain Mohammad Emran appeared. The complainant mentioned in his statement that as per Right to Information Act, 2009 he filed petition to Designated Officer (RTI) seeking for information mentioned in paragraph no.01. The Designated Officer (RTI) because of not supplying information he appealed to the Appellate Authority (RTI). After filing appeal having not found any remedy he submitted complaint to the Information Commission.

05. The opposite party Education Officer of Department of Primary Education mentioned in his statement that he is not Designated Officer (RTI) and he did not receive any prayer for receiving information. The complainant after filing appeal he can know the matter. Before seeking similar matter in the complaint no. 14/2014 was filed and after hearing in the matter of complaint as per decision given by the commission the information has been supplied. The address of present complainant is same of previous complainant and mutual relatives. For this reason, he did not supply complainant information in this matter. Moreover, because of not remaining information in their office and because of the matter is involved with Ministry of Sports the complainant can collect information from the concerned Ministry.

06. The function of primary education development program is conducted by which office in reply of such question of the commission the Designated Officer (RTI) mentioned that the function is done by Project Director of Department of Primary Education. If the mentioned projects are conducted by the project director of the Department of Primary Education, the concerned office supposed to preserve the desired information of the complainant. During hearing if the commission mention the matter of supplying desired information of the complainant, if the information is preserved in the office of Education Officer of Department of Primary Education, assured to supply the information through Designated Officer.

Discussion

After hearing the statements both the complainant and the opposite party and after reviewing the submitted evidences it appeared that the function of primary education development program is maintained by Department of Primary Education so, the desired information of the complainant supposed to preserve in the concerned office. The opposite party if remain desired information of the complainant in his office because of assuring to supply through Designated Officer (RTI) the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. The Deputy Director and Designated Officer (RTI) of Department of Primary Education is directed to supply the complainant his desired information if preserved in the office on or before 21.12.2014 subject to pay the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 as per Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both parties are directed to inform the information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 130/2014

Complainant: Most. Dulali Begum

Father- Late Boshir Uddin Master
Village- Char Krishnapur, Ward No-
08
Post Office- Mogolbasha
Police Station & District- Kurigram

Opposite Party: Mr. Md. Kawsar Ali

Secretary
&
Designated Officer (RTI)
No-7 Mogolbasa Union Council
Upazila: Sadar, District: Kurigram

Decision Paper

(Date: 09-12-2014)

The complainant submitted the complaint in respect to the complaint no. 51/2014 though the commission ordered to supply all information but Kurigram Sadar Upazila's Secretary of No-7 Mogolbasa Union Council and Designated Officer (RTI) Mr. Md. Kawsar Ali provide information lately. Besides this by providing additional false information without seal and signature financially hampered her as a result against Kurigram Sadar Upazila's Secretary of No-7 Mogolbasa Union Council Secretary and Designated Officer (RTI) Mr. Md. Kawsar Ali she submitted complaint again to the Information Commission on 02/10/2014 prayed justice.

02. The matter was discussed in the meeting of the commission on 16/11/2014. As per decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 09/12/2014.

03. On the date of hearing Advocate Mr. Ziaul Kabir on behalf of the complainant Most. Dulali Begum is present. Opposite party Kurigram Sadar Upazila's Secretary of No-7 Mogolbasa Union Council Secretary and Designated Officer (RTI) Mr. Md. Kawsar Ali is present. The complainant in his statement mentioned that, in the submitted complaint no-51/2014 the commission though ordered to supply all of information, Designated Officer (RTI) supplied information lately. From this information No- 1,24 serial's fully provided. No-3serial's part information provided, No-5 serial's not provided bill and voucher, No-6 serial's additional information provided, No-7 serial's only two resolution copy was provided.

04. Opposite party Kurigram Sadar Upazila's Secretary of No-7 Mogolbasa Union Council Secretary and Designated Officer (RTI) Mr. Md. Kawsar Ali mentioned in his statement that the complainant's prayed 1456 Page's prepared by challan said to pay taka to complainant. After submitting challan's copy due to leave of Eid some day late to providing information. The complainant has been provided the information preserved in the office. As same information remain in different file may be same copy has been provided. No-5 serial's

TR, Khabikha project performed by Upazila Project Implementation Officer. The bill and voucher remain to concerned officer because of this providing information was not possible. The number of resolutions of meetings from August 2011 to till December/2013 was total 27 Resolutions of three meetings in 2011, twelve from 2012, twelve meeting from 2013 have been provided to the complainant.

Discussion

Hearing the statements of both the complainant and the opposite party and reviewing the submitted evidences it appeared that the Designated Officer (RTI) has provided all the requested information to the complainant, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of in the following manner:

As the Designated Officer (RTI) officer has provided the information to the complainant, so, the complaint is disposed of with dismissal order.
Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed /-
(Nepal Chadra Sarker)
Information Commissioner.

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 131/2014

**Complainant: Mr. Abdul Wahab
(Advocate)**

Father- Md. Abdul Khaleque
Address: Islampur
163, Judge Court, Comilla

**Opposite Party: Sub-Registrar
&**

Designated Officer (RTI)
Sadar, Comilla

Decision Paper

(Date: 09-12-2014)

The complainant Mr. Abdul Wahab (Advocate) submitted the petition on 13/08/2014 to Mr. Mir Sharif Uddin Sub-Registrar & Designated Officer (RTI) Sadar Comilla, seeking for the following information according to section 8(1) of Right to Information Act, 2009:

- **Police Station Laksam of year 1927 Register Book of No-1 index, Volume No-53 of pages (101-103), Deed No- 5465 of which Donor Gol Vhanu. Of this deed's certified Copy.**

02. Within the stipulated time not getting the information the complaint lodged appeal on 08-09-2014 to Mr. Josim Uddin Bhuiyan, District Registrar and Appellate Authority (RTI) Comilla by registered post. Not having any solution after submission of appeal, he submitted complaint to the Information Commission on 12-10-2014.

03. The matter was discussed in the commission's meeting on 16-11-2014. According to the decision of the meeting, summonses were issued to both parties fixing the date of hearing on 09-12-2014.

04. On the fixed date for hearing the complainant Mr. Abdul Wahab (Advocate) and Mir Shorif Uddin, Sub-Registrar & the Designated Officer (RTI) Sadar Comilla are present. The complainant in his statement mentioned that, he applied for the information in paragraph 1 to the Designated Officer (RTI) as per the provision of the Right to Information Act, 2009. Not being provided information by the Designated Officer (RTI) he lodged appeal to the Appellate Authority. Having received no information even after submission of appeal he filed complaint to the Information Commission.

05. Opposite party Sub-Registrar & the Designated Officer (RTI) Sadar south, Comilla mentioned in his statement that he is not the Designated Officer (RTI). He was in charge on that day because the Sub Registrar was on leave that day. After that he never went to that office. He came to know from the Sub Register sadar

that the complainant applied for the certified copy of the said deed and within 2/1 day he would get the same. He assured to provide the information with the help of the Sub Registrar sadar.

06. As the provisions of providing information shall not be affected by the provision of sub section 3(a) of the Right to Information Act, 2009 so, the complainant can take step for certified copy of the deed under the rules of the Registration Act.

Discussion

Hearing the statements of both the complainant and the Designated Officer (RTI) and reviewing the submitted evidences it was noticed that Sub Registrar and the Designated Officer was in charge on that day because Sub Registrar sadar was on leave. The opposite party informed that the complainant submitted petition for the certified copy of the deed and he would get it by 2/1 day. Since the supply of copy of the deed was done under the Registration Act, so, the complainant can apply to the concerned office. The Sub Registrar and the Designated Officer (RTI), sadar, south assured to provide the information with the help of the Sub Registrar and the Designated Officer (RTI) sadar, Comilla, the case seems to be disposable. As the provisions of providing information shall not be affected by the provision of sub section 3(a) of the Right to Information Act, 2009 so, the case is liable to be dismissed.

Decision

The complaint is disposed of with the following directions:

1. In section 3(a) of the Right to Information Act, 2009 it is said that the provisions of providing information shall not be affected by the provision of sub section 3(a) of the Right to Information Act, 2009. Since the supply of copy of the deed was done under the Registration Act, so, certified copy of the deed can be provided. So, the case is dismissed with the direction to the complainant to apply to the concerned authority for the certified copy of the deed.
2. Both the parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed/-
(Prof Khurshida Begum Sayeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarkar)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 132/2014

Complainant: Mr Arup Roy

Father- Utpal Roy
Prothom Alo- Savar Office
51/ A, Savar Bazar Road,
Upazila- Savar
Dhaka.

Opposite Party: Mr. Md. Shah Alam

Information Officer
&
Designated Officer (RTI)
Bangladesh Livestock Research
Institute (BLRI), Savar, Dhaka.

Decision Paper

(Date: 25-01-2015)

The complainant submitted the application to the Designated Officer (RTI) of Bangladesh Livestock Research Institute (BLRI), Savar, Dhaka on 06-07-2014 seeking for the following information as per section 8(1) of Right to Information Act, 2009-

- (a) To strengthening the zonal center, how much money have been spent in buying lab apparatus? In which date and year the tender was invited? Name of the manufacturer countries? Name of the apparatus. Want to know the present location and on the spot want to see. Name of the contractor and the organization.
- (b) How many refrigerators were purchased in the fiscal year 2012 and 2013? How much price of a refrigerator? Name of the manufacturer countries? How many refrigerators have been bought for each center? Want to know the present location and present condition. In which date and year the tender was invited? Copy of the advertisement. Name of the organization the work order has been given, the process of tender invitation with document and want to see the refrigerators physically.
- (c) For research in revenue sector for financial year 2013-2014 allotted 1 crore 75 Lac and for development sector allotted 39 Lac 93 thousand taka in which research have been expensed? Name of every research or project and of cost details and name of responsible Research Officer. Want to know result of research.
- (d) Under foder research and development of financial year 2012-2013 and 2013-2014 amount of allotted money and date of receiving. Cost details as per every sector. To expense the receiving money have any tender was invited? if, any, mention the date of tender and advertisement in the newspaper of that published photocopy. Contractor and Contractor's organization's Name.
- (e) How much money have been distributed as honorarium among the trainees in 2012-2013 under Buffalo development project? Besides, allowance any others instruments were distributed among them? If, given name of the instruments. How many trainers participated in the training? How much money the trainers got? Trainers name, designation and prospectus of work institution and address? What are the instruments been bought by expensed taka 19 Lac 41 thousand? With name, cost of those instruments as per sector.

02. Within the fixed time not getting the information the complainant submitted an appeal on 04-09-2014 Dr. Md. Nazrul Islam, Director General Bangladesh Animal Resource Institute, (BLRI), Savar, Dhaka and Appellate Authority (RTI) by registered post. Not having any solution after submission of appeal, he filed complaint to the Information Commission on 13-10-2014.

03. The matter has been discussed in the commission's meeting on 16-11-2014. According to the decision of the meeting, summonses were issued to the parties concerned fixing the date of hearing on 09-12-2014.

04. On the fixed date of hearing, the complainant applied for time. The commission granted time and fixed the date of hearing on 30-12-2014. Accordingly, summonses were issued again to the parties concerned.

05. On the fixed date of hearing, the Designated Officer (RTI) applied for time. The commission granted time and fixed the date of hearing on 25-01-2015. Accordingly, summonses were issued again to the parties concerned.

06. The complainant Mr. Arup Roy is present at the time of hearing. The opposite party the Designated Officer RTI) and Information Officer of Bangladesh Livestock Resource Institute, (BLRI), Savar, Dhaka, Mr. Md. Shah alam and Officer is also present. The complaint mentioned in his statement that as per the provision of the Right to Information Act, 2009, he applied to the Designated Officer (RTI) for information mentioned in para-1. Not getting the requested information within the stipulated time he lodged appeal to the Appellate Authority (RTI). After lodging the appeal he received partial information. He submitted complaint to Information Commission for remedy.

07. The opposite party the Designated Officer RTI) and Information Officer of Bangladesh Livestock Research Institute, (BLRI), Savar, Dhaka, mentioned in is statement that, within proper time information was not provided. After lodging the appeal application, the partial information was provided. As the rest Information falls under the section 7 (Ta) and (Na) of the Right to Information Act, 2009 not be fitted provide able, as a result the information was not provided.

08. The question of commission in which question's answer was found and in which question's answer was not found, in answer of this type of question the complainant informed that, No Ka serial's information has found. No Ga serial's information has not found. No Kha, Gha and Uma serial's information has partly found.

09. Asked to know by commission why complainant's information was not provided, the Designated Officer (RIT) informed that, the project was run by Project Director and many researchers have done research work under the project. When he requested them to provide the requested information, that as per section 7 (Ta) and (Na of Right to Information Act, 2009 information cannot be provided. As a result, complete information could not be provided to the complainant.

10. After completion of the project work there should have account statement so, account statement per sector have to be provided. As per sub- Clause (Na) only related to result from research and all of purchase function related to sub-clause (Ta). As relevant project works meanwhile have been completed, therefore all of its purchase function and preparing accounts details have been completed. So, there is no hindrance in providing the information relating procurement rather it is compulsory to provide the information on demand. Except result from research left information of serial No Kha, Ga, Gha and Uma are provideable when this view given by the commission, the Designated Officer (RTI) assured to take necessary step to provide the information. But when he mentioned about permission of Project Directors, the commission ordered to submit the name and designation of the Project Directors, he submitted the list of 9 (Nine) persons.

Discussion

Hearing the statement of both the complainant and the opposite party and reviewing the submitted documents it was noticed that the Designated Officer (RTI) has provided partial information. But he could not provide the information as he did not have the information with him and the concerned officials did not supply the information. As the Designated Officer (RTI) has assured to take necessary step to collect the information from the concerned officials and then provide to the complainant, so, the case seems to be disposable.

Decision

The Complaint is disposed of with the following instructions:

01. The Designated Officer (RTI) and the Information Officer of Bangladesh Livestock Research Institute, (BLRI), Savar, Dhaka has been directed to provide the requested information to the complainant on or before 10-02-2015 on the condition of paying the cost of information according to the Right to Information Act, 2009.
02. If any officer abstained from providing the information to the Designated Officer (RTI) in that case action would be taken against those as per the provision of section 10(5) and (6) of the Right to Information Act, 2009.
03. The Designated Officer (RTI) has been directed to deposit the realized money in code no:1-3301-0001-1807 in public treasury the cost of information according to the section 9 of the Right to Information Act, 2009 and rule 8 of the Right to Information (Information finding related) Rules, 2009.
04. Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Nepal Chandra Sarkar)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 133/2014

Complainant: Mr. Amiyo Das Ray

S/O. Late Jitendra Ray
Vill: Kismat Phultala
Upazila: Batiaghata
Dist: Khulna

Opposite Party: Mr. Jashim Uddin

Socio Economist
&
Designated Officer (RTI)
Blue-Gold Program
House No. 362
Sher-e-Bangla Road
Sheikhpara, Khulna.

Decision Paper **(Date: 09-12-2014)**

The complainant Mr. Amiyo Das Ray filed petition through registered post on 04.09.2014 to Mr. Jashimuddin, Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpara, Khulna seeking for the following information as per Section-8(1) of Right to Information Act, 2009.

(5) The Policy of Blue-Gold Program.

(6) The number of society in the folder no. 30, the list of name of the beneficiaries.

02. As the designated officer did not receive the prayer sent by registered post, he directly submitted the complaint in the information commission on 13.10.14.

03. The matter was discussed in the meeting of commission on 16.11.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 09.12.2014.

04. On the fixed date of hearing the complainant Mr. Amiyo Das Ray and the opposite party Mr. Jashimuddin, Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpara, Khulna are present. The complainant mentioned in his statement that as per Right to Information Act, 2009 he filed petition to Designated Officer (RTI) seeking for the information mentioned in paragraph no.01. The designated officer because of not receiving the prayer sent by registered post he directly submitted the complaint to the information commission.

05. The opposite party Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpara, Khulna mentioned in his statement that the Blue-Gold Program was a Government Project. It worked for development of water management. The complainant is a member of this function. The policy was formulated in 2013. While the complainant prayed for the information then he did not have the copy of policy in his office, so, he could not supply his desired information. Moreover, the complainant because of a beneficiary of this project, he had not any idea

whether as per Right to Information Act, he could be supplied the information or not. At present in his office the copy of policy is available. He came with the desired information of the complainant and assured to supply that.

Discussion

After hearing the statements of both complainant and the opposite party and after reviewing the submitted evidences it appeared that because of not remaining the information to the Designated Officer (RTI) he could not supply the same to the complainant. As per direction of the information commission the Designated Officer (RTI) because of assuring to supply the desired information to the complainant, so, the complaint seems to be disposable.

Decision

After detailed discussion the complaint is disposed of with the following directions:

1. As per Right to Information Act, 2009 The Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpura, Khulna is directed to supply the complainant his desired information on or before 17.12.2014 on the condition of paying the cost of information.
2. The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 as per section-9 of Right to Information Act, 2009 and rule-8 of Right to Information (regarding information receiving) Rules, 2009.
3. Both the parties are directed to inform the information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 134/2014

Complainant: Mr. Md. Jahurul Islam Fakir

S/O. Late Hafez Fakir
Vill: Noakati, P.O: Sahosh
Upazila-Dumuria
Dist: Khulna.

Opposite Party: Mr. Jashim Uddin

Socio Economist
&
Designated Officer (RTI)
Blue-Gold Program
House No. 362
Sher-e-Bangla Road
Sheikhpara, Khulna.

Decision Paper

(Date: 09-12-2014)

The complainant Mr. Md. Jahurul Islam Fakir filed petition through registered post on 04.09.2014 to Mr. Jashimuddin, Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpara, Khulna seeking for the following information as per Section-8(1) of Right to Information Act, 2009.

- **There are 05 Components work under Blue-Gold Program, want copy of policy of each.**

02. As the Designated Officer did not receive the prayer sent by registered post, he directly submitted the complaint to the information commission on 13.10.2014.

03. The matter was discussed in the meeting of commission on 16.11.2014. As per decision of the meeting summonses were issued to the concerned parties fixing the date of hearing on 09.12.2014.

04. On fixed date of hearing the complainant Mr. Md. Jahurul Fakir and the opposite party Mr. Jashimuddin, Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpara, Khulna are present. The complainant mentioned in his statement that as per Right to Information Act, 2009 he prayed to Designated Officer (RTI) seeking for information mentioned in paragraph no.01. The Designated Officer because of not receiving the prayer sent by registered post he directly submitted the complaint to the information commission.

05. The opposite party Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpara, Khulna mentioned in his statement that the Blue-Gold Program was a Government Project. It worked for development of water management. The complainant is a member of this function. The policy was formulated in 2013. While the complainant submitted prayer to receive

information then he had not any copy of policy in his office so, he could not supply his desired information. Moreover, the complainant because of a beneficiary of this project, he had not any idea whether he could be provided the information or not as per Right to Information Act. At present in his office the copy of policy is available. He came with the information of the complainant and assured to supply that.

Discussion

After hearing the statements both complainant and the opposite party and after reviewing the submitted evidences it appeared that because of not remaining the information to the Designated Officer (RTI) he could not supply the same to the complainant. As per direction of the Information Commission the Designated Officer (RTI) because of assuring to supply the desired information of the complainant the complaint seems to be disposable.

Decision

After detailed discussing the complaint is disposed of with the following directions:

- 1) The Designated Officer, Socio Economist, Blue-Gold Program, House No. 362, Sher-e-Bangla Road, Sheikhpara, Khulna is directed to supply the complainant his desired information on or before 17.12.2014 on the condition of paying the cost of information.
- 2) The Designated Officer (RTI) is directed to deposit money collected as cost of supplied information in the code of 1-3301-0001-1807 as per Section-9 of Right to Information Act, 2009 and Rule-8 of Right to Information (regarding information receiving) Rules, 2009
- 3) Both parties are directed to inform the Information Commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed/-
(Nepal Chandra Sarker)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No: 135/2014

Complainant: Mr Arup Roy

Father- Utpal Roy
Prothom Alo- Savar Office
51/ A, Savar Bazar Road,
Upazila- Savar
Dhaka.

Opposite Party: Mr. Faruque Ahmed

Administrative Officer
&
Designated Officer (RTI)
Dhaka Zila Parishad Office
Azampur, Uttara, Dhaka.

Decision Paper

(Date: 25-01-2015)

The complainant submitted the petition by registered post on 08-07-2014 to the Administrative Officer & the Designated Officer (RTI) Dhaka Zila Parishad Office, Azampur, Uttara, Dhaka, seeking for the following information according to section 8(1) of the Right to Information Act, 2009.

- 1. The name of the project, amount of allocation and the latest condition of projects in 2011,2012,02013 and 2014 with the names of the project managers.**
- 2. The names and addresses of the institutions, amount of allocation and names of the project managers in 2011,2012,02013 and 2014.**
- 3. How much lands are owned by Dhaka Zila Parishad? Total quantity of land? Want to know the status of the land of Thana and Mouza.**
- 4. If leased out the land owned by Zila Parishad, the amount of land and the names of the lease.**
- 5. If dispossessed, specific information of the land and amount of land.**

02. Not getting the information within stipulated time he lodged appeal petition to Hasina Doula, Administrator and Appellate Authority on 04-09-2014 by registered post. After that without getting any solution even after lodging the appeal, the complainant submitted the complaint to on 15-10-2014 to the Information Commission.

03. The matter was discussed in the commission's meeting on 16-11-2014. According to the decision of the meeting, summonses were issued to the parties concerned fixing the date of hearing on 09-12-2014.

04. On the fixed date the complainant applied for time. The commission granted time and fixed the date of hearing on 30-12-2014 and summonses were issued to the complainant and the Designated Officer (RTI).

05. The complainant Mr. Arup Roy is present. On behalf of the opposite party, the Designated Officer (RTI) of Dhaka Zila Parishad Office, learned lawyer Mr. Nur – A Alam Ujjal is present. At the time of hearing the learned lawyer applied for time. The commission granted it and fixed the date of

hearing on 25-01-2015 and summonses were issued to the complainant and the Designated Officer (RTI).

06. On the fixed date of hearing the complainant Mr. Arup Roy is present. The opposite party the Designated Officer (RTI), Dhaka Zila Parishad Office is present along with his engaged learned lawyer Mr. Nur – A Alam Ujjal. The complainant mentioned in his statement that he applied for information mentioned in paragraph 1 to the Designated Officer as per the provision of the Right to Information Act, 2009. Having received no information, he lodged appeal to the Appellate Authority (RTI). After that without getting any solution even after lodging the appeal, he submitted the complaint to the Information Commission.

07. The opposite party the Administrative Officer of Dhaka Zila Parishad and the Designated Officer (RTI) in his statement mentioned that he has joined in his office recently and as he did not have the knowledge about the law he appointed learned lawyer. The learned lawyer in his statement informed that some information have been ready for the complainant. To prepare the rest information some time is needed. The Designated Officer (RTI) assured to provide the information within the fixed time by the commission.

Discussion

Hearing the statements of both the complainant and the Designated Officer (RTI) and reviewing the submitted evidences it was noticed that due to lack of knowledge about the Right to Information Act and the information was not ready he could not provide the information. As the Designated Officer (RTI) assured to provide the information within the fixed time by the commission, so, the case seems to be disposable.

Decision

The Complaint is disposed of with the following directions:

1. The Administrative Officer of Dhaka Zila Parishad Office and the Designated Officer (RTI) has been directed to provide the requested information to the complainant on or before 22-02-2015 on the condition of paying the cost of information.
2. The Designated Officer (RTI) has been directed to deposit the realized money in code no: 1-3301-0001-1807 in public treasury according to the section no 9 and rule 8 of the Right to Information (Information finding related) Rules, 2009.
3. Both the parties are directed to inform the Information commission after implementing the directions.

Let the copy be sent to the concerned parties.

Signed /-
(Nepal Chandra Sarkar)
Information Commissioner

Signed /-
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-136/2014

Complainant: Mr. Delwar Bin Siraj

Father-Late Hazi Siraj Uddin
39/1 Bangabandhu Avenue
3rd Floor, Room No.-206
Dhaka-1000.

Opposite Party: Mr. Muhammad Jahirul Islam

Manager (Administration)
&
Designated Officer (RTI)
BAPEX
4 Karwar Bazar, Dhaka-1215.

Decision Paper

(Date-09-12-2014)

Complainant Mr. Delwar Bin Siraj filed application on 13-08-24 to Mr. Muhammad Jahirul Islam, Manager (Administration) & Designated Officer (RTI), BAPEX, 4 Kawran Bazar, Dhaka-1215 seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 01. Statement regarding payment to organization as 01. Display advertisement, 02. Sponsor, 03. Grants after taking the charge of present MD Mr. Abdul Baki.**
- 02. Written Statement about total expenditure from 25.04.2013 to till date as 01. pay and allowance, 02. Mobile phone- fax bill, 03. How many vehicles- Tk for fuel, 04. Travel-entertainment, 05. Foreign tour and miscellaneous head expenditure by present MD Mr. Abdul Baki.**
- 03. Brief statement of all agreements about financial expenses with various organizations and individuals executed by present MD Mr. Abdul Baki from last 25.04.2013 to till date.**
- 04. From 25.04.2013 to till date how many tender, international tender and quotation of BAPEX was invited and written statement mentioning names of works and amount of taka.**
- 05. Written statement mentioning total digging works and survey of BAPEX are conducted and costing form 25.04.2013 to till date.**
- 06. Written statement mentioning total manpower of BAPEX was recruited from 25.04.2013 to till date and their designation and number of post.**

02. Not getting the requested information within the stipulated time; the complainant filed appeal to Mr. Md. Mahbub Sarwar, Managing director and Appellate Authority (RTI), BAPEX, 4 Kawranbazar, Dhaka-1215 on 14.09.2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 20.10.2014.

03. The agenda was discussed in the meeting of Commission on 16.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 09.12.2014.

04. Complainant Mr. Delwar Bin Siraj and opposite party MR. Md. Zahirul Islam manager (administration) and Designated Officer (RTI), BAPEX, 4 Kawranbazar, Dhaka-1215 appeared in the date of hearing. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the

Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Opposite party Manager (administration) and Designated Officer (RTI), BAPEX, 4 Kawranbazar, Dhaka-1215 mentioned in his statement that, the office assistant received application for information but he did not receive the application for Information. He came to know about application for information after the complainant filed appeal. Since confusion about providing personal information sought for by the complainant and due to lack of knowledge about Right to Information Act, 2009 sent a letter to the legal advisor seeking legal opinion in this regard. By this time complainant filed complaint to the Information Commission. The legal advisor agreed to provide information. Information sought for by the complainant is to be collected from six sections. This need sufficient time.

06. Since the Commission opined that to collect information from six divisions within 10 days and provide to the complainant within 20 days; the Designated Officer (RTI) ensured to collect information and provide.

Discussion

After hearing of both the complainant and opposite party and reviewing the evidences it was found that since the information sought for by the complainant considered as personal information and lack of knowledge about Right to Information Act, 2009; the Designated Officer (RTI) could not serve information to the complainant timely. Since the Designated Officer ensured to serve information to the complainant as per instruction of the Commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The manager (administration) and Designated Officer (RTI), BAPEX, 4 Kawranbazar, Dhaka-1215 is directed to provide the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 07.01.2015.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of directions.

Let the copy be served to the concerned parties.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-137/2014

Complainant: Mr.Md. Kutub Uddin

Father-Late Mvi. Safiuddin
E-34, beside RAB-2
Agargaon, Dhaka-1207.

Opposite Party: Deputy Director

And
Designated Officer(RTI)
Education Engineering Directorate
Education Bhaban(1st floor) Dhaka.

Decision Paper

(Date-09-12-2014)

Complainant Mr. Md. Kutubuddin filed application on 17-06-2014 to Mr. Bijoy Kumar Gosh, Deputy Director(Administration) and Designated Officer (RTI), Education Engineering Directorate, Education Building/Bhaban(1st floor),Dhaka seeking for the following information under section 8(1) of Information Rights Act, 2009:

- **Cause and information as to why the Guardian shed and toilet of Sher-E-Bangla Nagar Government Girls' High School at Dhaka was not constructed within the financial year-2013-2014 under letter of Directorate of Education Engineering vide letter no. 37.07.0000.008.14..365.09.3011 dated-22.12.2013.**

02. Not getting the requested information timely; the complainant filled appeal to Dr. Mohammad Sadik, Secretary and Appellate Authority (RTI), Ministry of Education, Bangladesh Secretariat, Dhaka on 11.09.2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 26.10.2014.

03. The agenda was discussed in the meeting of Commission dated-16.11.2014. Pursuant to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 09.12.2014.

04. Complainant Mr. Md. Kutub Uddin and opposite party MR. Bijoy Kumar Gosh, Assistant Professor, Zoology,Edward College, Pabna [former Designated Officer(RTI), Directorate of Education Engineering, Education Building(1st floor) Dhaka] appeared in the date of hearing. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Former Designated Officer (RTI) mentioned in his statement that, now he is promoted and serving at Pabna Edward college. He served as Designated Officer (RTI) under deputation in Directorate of Education Engineering till 13.11.2014. Project proposal for construction of guardian shed and toilet in Sher-E-Bangla Nagar Girls' High School was filed in the financial year 2014-2015. No meeting was held till date for selection of projects. Since no policy decision was taken, it was not possible for him to serve information to the complainant. After the meeting decision would be informed to the complainant in this regard.

06. Since the Commission observed that selection process of the project is to inform the complainant, Mr. Bijoy Kumar Gosh ensured to serve information through the present Designated Officer (RTI).

Discussion

After hearing of both the complainant and opposite party it was found that, since no policy decision was taken regarding submitted project proposals for construction of guardian shed and toilet in the meeting the information sought for by the complainant could not served timely. Mr. Bijoy Kumar Gosh since ensured to serve information to the complainant through the present Designated Officer (RTI) regarding project selection, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with the following instructions:

1. The Designated Officer (RTI) is directed to serve the information sought for by the complainant regarding selection of project.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009, to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Professor Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-138/2014

Complainant: Mr. Biplob Kumar Karmakar
Vill+ Post-Bipulasar
Monohargonj
Comilla-3572.

Opposite Party: Mr. Neamatullah
Director (BCS exam: section)
And
Designated Officer(RTI)
Bangladesh Public Service
Commission Secretariat
Agargaon, Dhaka.

Decision Paper

(Date-09-12-2014)

Though in respect of the complaints No-88/2013 & 30/2014, the commission directed to provide required information but was not provided, hence the complainant Mr. Biplob Kumar in Karmakar filed a complaint against Mr. Neamatullah, Director (BCS Examination section) of Bangladesh Public Service Commission and Designated Officer (RTI) to the Information Commission again on 26-10-2014.

02. The agenda was discussed in the meeting of the Commission on 16.11.2014. According to the decision of meeting summonses were issued to the parties concerned fixing the date of hearing on 09.12.2014.

03. Complainant Mr. Biplob Kumar Karmakar present in the date of hearing. Opposite party Mr. Neamatullah, the Director (BCS examination section) of Bangladesh Public Service Commission and Designated officer (RTI) sent letter with copy of writ petition filed to the Honorable High Court against the decision passed by the Information Commission and remain absent. The complainant mentioned in his statement that, though respect of the complaints No.-88/2013 & 30/2014, the commission directed to provide required information but was not provided, hence the complainant Mr. Biplob Kumar Karmakar again filed the complaint against Mr. Neamatullah, Director (BCS Examination section) of Bangladesh Public Service Commission and Designated Officer(RTI) to the Information Commission.

04. Reviewing the letter sent by Bangladesh Public Service Commission it was found that, the Bangladesh Public Service Commission filed writ petition to the Honorable High Court against the decision passed by the Information Commission in respect of the complaints Nos. 88/2013 & 30/214 and the Honorable Court passed an order of status quo for 6 months. Under this circumstance, as the matter is subjudiced, the commission found no ground to pass any order in this connection.

Discussion

After hearing of complainant and submitted evidences on record submitted by the opposite party it was found that, Bangladesh Public Service Commission filed writ petition to the Honorable High Court and the High Court issued six months status quo about this subject. Under this circumstances as the matter is subjudiced so, it would be wiser not to pass any order in this regard.

Decision

The complaint is disposed of with following instruction:
Since the matter is pending before the Honorable High Court, it would not be wiser to pass any order in this regard. The complaint is dismissed.

Let the copy be served to the parties concerned.

Signed
(Professor Dr. Khorshida Begum Sayed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammad Faoq)
Chief Information Commissioner

Information Commission

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

Complaint No.-139/2014

Complainant: Mr. Horichand Roy

Father-Late Banamali Roy
Village-Darun Mallik
Post Office-Daran Mallik
Upazila-Paikgacha
District-Khulna.

Opposite Party: Mr. Jasim Uddin

Socio Economist
And
Designated Officer(RTI)
Blue-Gold Project
House no.-362
Sher-E-Bangla Road
Sheikh Para, Khulna.

Decision Paper

(Date:09-12-2014)

Complainant Mr. Md. Horichand Roy filed application by registered post on 01-09-2014 to Mr. Jasim Uddin, Designated Officer, Socio Economist, Bandu-Gold Project, House no.-362, Sher-E-Bangla Road, Sheikh Para, Khulna under section 8(1) of the Right to Information Act, 2009 seeking for the following information:

- a). How many societies are in Polder-22 under Blue-Gold Project and what agriculture items are distributed in which villages?
- b). I want information about policies of water management society and policies for use of agro instruments.
- c). List of beneficiaries of water management project in villages Noai, Darun Mallik, Harin Khola, Syed Khali, Telikhali, Gopi Pagla, Fulbari, Bigodana, Shener Ber, Klinagar, Hatkati, Durgapur under Polder no.-22 and with list and quantity which agro aid and agro instrument are distributed.

02. He filed the complaint to the commission directly dated-26.10.2014 because the Designated Officer did not receive application by registered post.

03. The agenda was discussed in the meeting of the Commission on 16.11.2014. According to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 09.12.2014.

04. Complainant Mr. Md. Horichand Roy and opposite party MR. Jasim Uddin, Designated Officer, Socio Economist, Blue-Gold Project, House no.-362, Sher-E-Bangla Road, Sheikh Para, Khulna are present in the date of hearing. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under the Right to Information Act-2009 seeking for the information mentioned in article-01.

Since the Designated Officer (RTI) did not receive the application sent by registered post, he filed complaint to the Information Commission directly.

05. The Opposite party Designated Officer, Socio Economist, Blue-Gold project, House no.-362, Sher-E-bangla Road, Sheikh Para, Khulna mentioned in his statement that, Blue-Gold project is an Government Project. It is working for water management development. Complainant is a member of this project. Due to ignorance of knowledge about the Right to Information Act, 2009 and since the complainant is also a facilitator of this project, due to misunderstanding information was not provided. Information sought for by the complainant in serial no.-1, information about number of committee would be provided but information about agro instruments are not distributed by this office, hence the information could not be provided. Information about policies in serial number-2 has already been provided. Information about serial number 3 is not available in this office. From which office information would be collected, this information would be informed to the complainant.

Discussion

Hearing the statement of both the parties and reviewing the evidences on record it was found that, since Designated Officer (RTI) had not complete information sought by the complainant, could not provide. As the Designated Officer (RTI) ensured to provide the requested information to the complainant, so the case seems to be disposable.

Decision

The complaint is disposed of with the following instructions:

01. The Designated Officer, Socio Economist, Blue-Gold project, House no.362, Sher-e-Bangla Road, Sheikh Para, Khulna is directed to provide the information to the complainant on or before 17-12-2014 on the condition of paying the cost of information.
02. The Designated Officer (RTI) is directed to deposit money collected as cost of information in code no-1-3301-0001-1807 according to the section-9 of Information Rights Act-2009.and rule-8 of the Right to Information (Information finding related) Rules, 2009.
03. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-140/2014

Complainant: Mr. Md. Abu Taher

Father-Noor Ahammad
Mother & Child Welfare Centre
Master Para, Anayet Hazi Bari
Feni.

Opposite Party: Mr. Iftekhar Ahmed Chowdhury

Deputy Director
And
Designated Officer (RTI)
Family Planning
Feni.

Decision Paper

(Date:-10-12-2014)

Complainant Mr. Abu Taher filed complaint against Deputy Director, Family Planning to the Information Commission on date-28.10.2014. Though he, in his complaint mentioned "Application for information as per rules" no statent, even mentioned in his application to receive information "Application for information as per rule" was not mentioned.

02. The agenda was discussed in the meeting of the commission on 16-11-14. Summonses were issued to the parties concerned fixing the date of hearing on 10.12.2014.

03. Complainant Mr. Md. Abu Taher and opposite party Mr. Ifekhar Ahmed Chowdhury, Deputy Director, Family Planning, Feni are present in the date of hearing. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) seeking for the information mentioned in article-01. Not getting the information, he lodged an appeal petition to the Appellate Authority (RTI). Without getting any solution, he submitted the complaint to the Information Commission.

04. Opposite party Deputy Director and Designated Officer (RTI), Family Planning, Feni mentioned in his statement that, sick leave for 62 days from 08.04.1997 to 18.06.1997 has been approved to the complainant for his sickness. After finishing his leave he joined his office. Again he remained absent in office without approved leave. Application for leave of complainant was returned from Deputy Director, Family Planning, Feni in dated-03.09.1998. Here it can be mentioned that, complainant did not submit main copy of medical certificate, specified form of Earned Leave, who will be in charge of time of leave in respective family welfare centre- his name and designation and also did not submit his service book, directed the complainant to produce all relevant documents to concerned office. But he did not submit those papers. In this reason he was suspended from his office on 08.10.1998. Investigation was conducted in einstalled departmental case.

At the time of investigation complainant was present. Investigation Officer Mr. Md. Erfan Ali, the Deputy Director, Family Planning, Naraanganj in his investigation report dated-02-12-1999 mentioned that, Abu Taher was suspended for denial in his duty and misbehavior. Subsequently he was suspended from his office due to absent in office & charge of misconduct.

05. In respect of the statement of Designated Officer (RTI) the complainant said that, after completion of his approved leave, he joined in his office. Subsequently while was returning from his office became victim of a street accident & his leg was broken. Since he was admitted in medical, could not submit application for leave timely. He was admitted in hospital for three months. He has medical certificate. Before joining he was illegally suspended. The fact was, the investigation was done after his suspension. He did not receive any notice or show cause letter. In investigation report, mentioned his various address in various times. On which basis his certificate is termed as of other district.

06. The Designated officer (RTI), in answer to the statement of complainant further said that, there is no proof about complainant's fall in bus accident, terminate him after he submit application for leave, no contact with him. District Family Planning Office, Feni terminated him from his job by following the proper reason and proper procedures for taking job by false address, after that various illegal activities and absence without approved leave. After that he filed an appeal to the Director General, Family Planning against his suspension order. Directorate of Family Planning informed him that after review of appeal application and total papers there is no scope to consider his application. He filed a civil case in Senior Assistant Judge's Court, Feni against his suspension order. Senior Assistant Judge passed judgment & order in favor of the government and dismissed this case. He filed an appeal case against this judgment & order to the Court of Joint District Judge, Feni and learned court passed judgment & order keeping uphold the judgment & order passed by the trial court. Then he filed an A.T case before the Learned Administrative Tribunal, Chitagong and this court also dismissed his case rejecting the petition he filed. Information is given to the complainant which information he sought for by several times. In present application for information he mentioned application for information as per rules" though was mentioned, yet did not mention the information he sought for- could not be provided.

07. It is known from statement of Designated Officer (RTI) that, complainant is terminated by order of proper authority follow proper way after investigation and copy of the investigation report was given to the complainant. The complainant failed to get his job return by all administrative and legal steps, after also he filed application in various stages which is make disturbance for government duty. In view of resolve the complaint, the Commission directed the Designated Officer (RTI) to serve copy of investigation report to the complainant, the Designated Officer (RTI) ensured to serve it.

Discussion

Hearing the statements of both the parties and reviewing the submitted evidences it was found that he was dismissed after proper enquiry and due process and he was provided with the investigation report. Though provided information sought by the complainant, he filed application time to time. The Designated Officer ensured to provide investigation report so the case seems to be disposable.

Decision

The complaint is disposed of with following instructions:

01. The Deputy Director and Authorized Officer (RTI), Family Planning, Feni, is directed to provide the copy of investigation to the complainant on the condition of paying the cost of information.
02. The Designated Officer (RTI) is directed to deposit money collected as cost of information under section-8 of the Right to Information Act-2009 and under section-9 of Right to Information (regarding obtain information) regulations, 2009 to government treasury in financial code no-1-3301-0001-1807.
03. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned

Signed
(Professor Dr. Khurshida Begum Sayed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No.-141/2014

Complainant: Syema Afroz

Father- Syed Bin Iskander
House no.-15/A, Road-3
Dhanmandi R/A
Dhaka-1205.

Opposite Party: Mr. Md.Shah Alam

Chowdhury
Director (Zone-5)
Designated Officer (RTI)
Rajdhani Unnayan
Kartripakhkha
Rajuk Bhaban, Dhaka-1000.

Decision Paper

(Date-30-12-2014)

Complainant Syema Afroz filed application to Mr. Sheikh Abdul Mannan, the Member (Planning) of Rajdhani Unnayan Kartripakhkha and the Designated Officer (RTI) under section 8(1) of Information Rights Act-2009 asking following questions on 13-08-2014 by registered post:

For implementation of Purbachal New Town” Project in 5 villages of Mouza Barakaw and Parabartha under Union-Nagori, Upzila-Kaliganj, District-Gazipur.

*** Description of quantity of trees and type of trees were in land area in these two Mouza acquired by Rajuk vide L.A case no.-3/2000-2001.**

*** Information about quantity of trees was/ have, selected value and how much money was paid for those in two mouza acquired under L.A case no.-2/2000-2001 & 7/2001-2002.**

02. Having received no information within stipulated time, the complainant filed appeal to G. M. Joinal Abedin, the Chairman of Rajdhani Unnayan Kartripakhkha & Appellate Authority (RTI) on 29.09.2014. After filing the appeal, being found no remedy; he filed complaints to the Information Commission on 29.10.2014.

03. The agenda was discussed in the meeting of Commission on 16.11.2014. Summonses were issued to both parties fixing the date of hearing on 10.12.2014

04. On the date of hearing complainant filed time petition. The commission granted time and fixing the date of hearing again on 30.12.2014 issued summonses to the complainant & th Designated Officer.

05. Complainant Syema Afroz is absent on the date of hearing. But opposite party Md. Shah Alam, Director (Zone-5) and Designated Officer (RTI) is present. The Designated Officer (RTI) mentioned in his statement that, 1752 pages of information was provided to the complainant and collect sum of Tk-17520/- for cost of information which was deposited to the account of chairman, Rajuk.

06. Whether cost of information was fixed by Rajuk with it's own law? In reply of such question of the commission, the Designated Officer (RTI) informed that, Rajuk has no individual law for the cost of information. Information was provided in legal size paper & also had some maps. The Designated Officer (RTI) informed that, due to lack of knowledge about the Act cost of information are not deposited in selected code. The commission if issue an order to deposit cost of information in specified code, he will abide the order.

Discussion

Hearing the statements of the opposite party and reviewing the submitted evidence of the opposite party it was found that, the Designated Officer (RTI) provided information to the complainant but cost of information was not deposited in selected code. As he had not sufficient knowledge about the Act, so he did not deposit the cost of information in specified code. As the Designated Officer gave surety to deposit the money in specified code, so, the case seems to be disposable.

Decision

The complaint is disposed of with following instructions:

Since the Designated Officer(RTI) provided information to the complainant, he is directed to deposit money collected as cost of information in code no-1-3301-0001-1807 according to the section 9 of the Right to Information Act, 2009 and rule-8 of Right to Information (Information obtain related) Rules, 2009.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Md. Farooq)
Chief information commissioner

Information Commission

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

Complaint No.-142/2014

Complainant: Mr. Md. Mafijul Islam

Father-Late Hossen Miah
Vill- Faterkandi
P.O-Dulalpur Bazar
Upazila-Homna
District-Comilla

Opposite Party: 1. Mr. Mohammad IqbqI Hossain

Headmaster
&
Designated Officer(RTI)
Faterkandi Government Primary
School
Homna, Comilla.
2. Mr. Md. Jahirul Islam
President
School Management Committee &
Selection & Recruitment Committee
Faterkandi Government Primary
School
Homna, Comilla.

Decision Paper

(Date-10-12-2014)

Complainant Mr. Md. Mafijul Islam filed application to Mr.Muhammad Jahirul Islam Bhuiyan, Chairman, School Managing Committee and Selection and Recruitment Committee, Faterkandi Government Primary School, Homna, Comilla and Headmaster & Designated Officer(RTI) Faterkandi Government Primary School, Homna, Comilla seeking for the following informations on 16-08-2014 as per section 8(1) of Right to Information Act,2009-

- **One attested photocopy of appointment letter issued to Md. Bin Rasel, the peon cum night guard of Faterkandi Government Primary School.**

02. Not getting the requested information within the timeframe, the complainant filed appeal to Mr. Tushar Ahmed, the Assistant Commissioner & the Designated Officer of Information Providing Unit of Office of the Deputy Commissioner, Comilla on 02-09-2014. After filing of appeal, the information was provided by the Upazila Primary Education Officer vide memo No.-343 dated-23-09-2014 to the complainant. The complainant being dissatisfied with information provided to him, filed complaint to the Information Commission on 30-10-2014 mentioning the information provided are fabricated & harassing. The complainant in his complaint mentioned further that, on 10-08-2014 filed an application seeking for same information to the Upazila Nirbahi Officer but no such document/copy attached herewith the complaint.

03. The agenda was discussed in the meeting of the Commission dated-16.11.2014. Summonses were issued to both the parties fixing the date of hearing on 10.12.2014

04. Complainant Mr. Md. Mafijul Islam with his learned advocate Mr. Md. Golam Faruque Bhuiyan present on the date of hearing. Opposite party Md. Zahirul Islam Bhuiyan, Chairman, School Managing Committee and Selection & Recruitment Committee, Faterkandi Government Primary School, Homna, Comilla and Mr. Mohammad Iqbq Hossain, Headmaster & Designated Officer (RTI) Faterkandi Government Primary School, Homan, Comilla are present with their learned advocate Mr. Md. Mahbubur Rahman. Complainant mentioned in his statement that he filed application to the Designated Officer(RTI) as per the provision of the Right to Information Act-2009 seeking for the information mentioned in article-01. Not getting any information, he filed appeal to Appellate Authority (RTI). After that without getting any remedy even after lodging the appeal, he submitted the complaint to the Information Commission. On behalf of the complainant his learned advocate mentioned in his statement that, according to guideline, post of night guard are to be recruited from respective union/ward. But in this case the candidate has been recruited from other union.

05. Opposite party Head master & the Designated Officer mentioned in his statement that, under law & order candidate for night guard are from respective union/ward and to be a candidate from catchments area of the school. Under government regulations, since Md. Bin Rasel is a candidate from catchments area & eligible for recruitment, recruited as a peon & night guard of the school considering academic certificates, national identity card, birth certificate etc. He has brought with him the copy of recruitment letter sought by the complainant and as per the direction of the commission he ensured to provide to the complainant.

Discussion

After hearing of both the complainant and opposite party and reviewing the submitted documents it was found that the peon has been appointed from the catchments area of the school. As the Designated Officer(RTI) ensured to provide information to the complainant as per instruction of Commission, the complaint is liable to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Headmaster & Designated Officer (RTI), Faterkandi Government Primary School, Homna, Comilla is directed to provide the information to the complainant by today on the condition of paying the cost of information.
2. The Designated Officer(RTI) is directed to deposit money in code no:1-3301-0001-1807 in public treasury the cost of the provided information according to the section 9 of the Right to Information Act, 2009 and rule 8 of the Right to Information (Information finding related) Rules,2009.
3. Both parties are instructed to inform the Information Commission after implementation of direction. Let the copy be served to the parties concerned.

Signed
(Professor Dr. Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No-143/2014

Complainant: Mawlana Kari Md. Ilias

Father- Kari Hasmat Ali

Vill+Post-Mechera

Post Code no.-2300

Hossainpur, Kishoregonj.

Opposite Party: Mr. Nazrul Islam

Secretary

&

Designated Officer(RTI)

No. 2 Sidla Union Council

Hossainpur, Kishoregonj.

Decision Paper

(Date-10-12-2014)

Complainant Mawlana Kari Md. Ilias filed petition by registered post on 03-09-2014: application to Mr. Md. Fazlu Miah, Secretary & Designated Officer (RTI), No. 2 Sidla Union Council Hossainpur, Kishoregonj seeking for the following information as per section 8(1) of the Right to Information Act-2009.

- **Seek investigation report of letter issued in favor of chairman of the village court, duly issued by the Deputy Commissioner bearing memo no.-05/12/4800.016-04-001-2011-19.**

02. Having received no information in due time, the complainant filed appeal to Mr. Md. Kamruzzaman, Chairman and Appellate Authority (RTI) No. 2 Sidla Union Council, Hossainpur, Kishoregonj on 01.10.2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 29-04-2014.

03. The agenda was discussed in the meeting of the Commission on 16.11.2014. Summonses were issued to the concerned parties fixing the date of hearing on dated-10.12.2014.

04. On the Date of hearing complainant Mawlana Kari Md. Ilias and opposite party Md. Nazrul Islam, Secretary & Designated Officer (RTI) are present. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act-2009 seeking for the information mentioned in article-01. Having received no information; the complainant filed appeal to Appellate Authority (RTI). After filing the appeal, being found no remedy; he filed complaint to the Information Commission.

05. Opposite party Secretary, No.-2 Sidla Union Council, Hossenpur, Kishoregonj mentioned in his statement that, on receipt of application of the complainant seeking information dated-16.09.2014 a letter was issued on emergency basis to Mr. Md. Jewel Miah the Village Court Assistant, No.-2 Sidla Union Council, Hossainpur, Kishoregonj to produce required information., On receipt of letter the court assistant informed

on 23.09.2014 that the application of the complainant was produced before the Chairman on 03.11.2013 and the Chairman put remarks regarding the application and file. He informed that he has no other information accept this remarks. Photocopy of the order dated 01.12.2013 was sent to the complainant by registered post on last 01.10.2014 since he did not come in the office. After filing the appeal application, the Appellate Authority (RTI) informed that the complainant was provided information vide a registered letter dated -16.10.2014 and registered letter dated-01.10.2014. The Designated Officer (RTI) informed further that the complainant filed an application to the Deputy Commissioner, Kishoregonj, regarding obstacle in Bogara Canal. Respect to the application for and on behalf of the deputy commissioner, the Assistant Commissioner and executive magistrate issued a letter on 05.04.2012 advising complainant to bring the matter to the village court. But the complainant did not bring the matter in the village court. Later on, the complainant sent this letter to the union council on 27.10.2013 by registered post. Since the complainant was not present in the Village Court and even filed any application, the case was filed to the Village Court. This order passed by the UP Chairman was supplied to the complainant.

Discussion

Hearing the statements and reviewing the submitted evidences on record of both the complainant and opposite party it was found that, respect to the application of the complainant, as per instruction of Assistant Commissioner and Executive Magistrate for and behalf of Deputy Commissioner to bring the factor to the Village Court was not followed, hence no investigation carried out regarding remedy sought by the complainant and that's why no information would be provided in this regard. Off course the remarks of UP Chairman in this connection was informed to the complainant. Since the complainant did not bring the factor to the Village Court as per instruction of order passed by the Assistant Commissioner and Executive Magistrate and the written remarks of the UP Chairman in this connection provided to the complainant, the complaint is liable to be disposed.

Decision

After discussion in details the complaint is disposed of with following instructions:

Since the complainant did not bring the matter to the village court as per instruction of the Assistant Commissioner and Executive Magistrate and the written remarks of the UP Chairman in this connection was provided to the complainant, so, the complaint is disposed of with dismissal order.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No-144/2014

Complainant: Mr. Md. Rasel Dhali

Father-Eunus Dhali

Village-Chandandhul, Post-Isapur

Upazila-Sirajdikhan

District-Munshigonj.

Opposite Party: Mr. Md. Delwar Hossen

Director

Divisional Family Planning Office

Dhaka Division, Azimpur

Dhaka-1205.

Decision Paper

(Date: 30-12-2014)

Complainant Mr. Md. Rasel Dhali filed complaint to the Information Commission on 02.11.2014 against the Director and Designated Officer (RTI), Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka-1205 in respect to complaint filed bearing No.-100/2014. In his statement he mentioned that, after hearing the complaint No.-100/2014 though directed to serve information within 26-10-2014, no information was provided.

02. The matter was discussed in the meeting of the Commission on 16.11.2014. As per the decision of the meeting, summonses were issued to concerned parties fixing the date of hearing on 10.12.2014.

03. On the Date of hearing the complainant Mr. Md. Rasel Dhali is present. Opposite Party Director and the Designated Officer (RTI), Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka-1205 was absent. Due to absence of the Designated Officer (RTI) the date of hearing was refixed on 30.12.2014 and summonses were issued to the concerned parties.

04. On the Date of hearing the complainant Mr. Md. Rasel and Opposite party Mr. Md. Delwar Hossain, Director, Divisional Family Planning Office, Dhaka Division, Azimpur, Dhaka-1205 are present. Complainant mentioned in his statement that, he filed complaint. After hearing the complaint no.-100/2014 the Information Commission directed to serve information but no information was served, hence filed complaint to the Information Commission. Subsequently out of 8 information only 2 information was provided to him bearing the serial no.-1&2 as correct but remaining 6 information found incorrect.

05. Director, Divisional Family Planning Office, Dhaka Division mentioned in his statement that, information was served to the complainant in complaint no.-100/2014 as per the decision. Further the complainant filed writ petition to the Honorable High Court bearing no.-5060/2014 regarding required information.

06. The complainant agreed that he filed writ petition to the Honorable High Court regarding required information.

Discussion

After hearing the statements of both the parties and considering the documents produced during hearing, it reveals that the complainant Mr. Md. Rasel Dhali filed a writ petition to the Honorable High Court. Since the matter is pending before the Honorable Court it will not be wiser to give any decision.

Decision

The complaint is disposed of with following manner:

Since the matter is pending before the Honorable High Court, the Commission should not pass any order. The complaint is disposed of with dismissal order.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-145/2014

Complainant: Mr. Md. Obaidur Rahman

Father-Late Poigam Ali
Goneshtola Municipal Market (1st
floor)
Dinajpur.

Opposite Party: Deputy General Manager

And
Designated Officer (RTI)
Rupali Bank Limited
Zonal Office, Dinajpur.

Decision Paper

(Date:10-12-2014)

The Complainant Mr. Md. Obaidur Rahman submitted an application on 12-05-2014 to the Deputy General Manager and Designated Officer (RTI), Rupali Bank Limited, Zonal Office, Dinajpur under section 8(1) of the Right to Information Act-2009 seeking for the information below:

- How many branches of Rupali Bank in Dinajpur District? Out of those how much are in Dinajpur Sadar and how much in other Upazila?
- How many certificate cases filed in Dinajpur District in the year 2013? Filed application to serve information branch wise.
- In the year 2013 how many cases filed to the Orthorin Adalat under Dinajpur district? Filed application to serve information branch wise.
- What type of stamp needed for issue loan and file certificate case in Orthorin Adalat by bank authority? Where this stamp was purchased from? Give description if it was purchased by branch wise? Name of vendor if purchased from them.
- How much adhesive stamp, postal ticket, revenue stamp, memo stamp and non-judicial stamp was purchased with how much money for Branches under Dinajpur Rupali Bank Zone in last September, October, November, December, January & February?

02. Having received no information within timeframe, he submitted an appeal to General Manager and Appellate Authority (RTI), Rupali Bank Limited, Zonal office, Dinajpur on 09.09.2014. Getting no remedy, he filed complaint to the Information Commission on 02.11.2014.

03. The issue was discussed in the meeting of the commission on 16.11.2014. As per the decision of meeting concerned parties were summoned fixing the date of hearing on 10.12.2014.

04. On the Date of hearing Complainant Mr. Md. Obaidur Rahman being received information he sought for, filed application to the commission to settle the complaint remaining absent. Opposite Party Deputy General Manager and Designated Officer (RTI), Rupali Bank Limited, Zonal Office Dinajpur remains absent.

Discussion

Considering the submitted documents on record of both the complainant and opposite party, it reveals that the Designated Officer (RTI) provided information to the complainant and complainant received his required information. Since the Complainant filed application for disposal of the complaint, so this complaint seems to be disposable.

Decision

Since the Designated Officer (RTI) served information and complainant filed application for disposal of the complaint after received required information, hence the complaint is disposed of.

Let the copy be sent to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No.-146/2014

Complainant: Mr. Syed Majibur Rahman
Father- Syed Syeduzzaman
234, North Sahjahanpur
Dhaka-1217

Opposite Party: Mrs. Rawshan Ara Jamil
Chief Psychologist
&
Director (Non-cadre and others)
&
Designated Officer(RTI)
Bangladesh Public Service
Commission
Agargaon, Dhaka.

Decision Paper

(Date: 10-12-2014)

Complainant Mr. Syed Majibur Rahman filed repeated complaint to the information commission against Rawshan Ara Jamil, Chief Psychiatric and Director (Non-cadre and others) and Authorized Officer (RTI), Bangladesh Public Service Commission, Agargaon, Dhaka on last 02-11-2014 relating to complaint No.-96/2014. In the complaint he mentioned that, after hearing of complaint No.-96/2014 though directed to provide information but did not provide any information by Designated Officer (RTI) & in respect to recovery of clues mentioned in table including removal of file from PSC, he filed complaint to the Information Commission repeatedly to take legal action against the Designated Officer for violating the instructions of the commission and take necessary action.

02. The issue was discussed in the meeting of the Commission on 16.11.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 10.12.2014.

03. On the date of hearing, both the complainant Mr. Syed Majibur Rahman and Opposite Party Rawshan Ara Jamil, Chief Psychologist and Director (Non-cadre & others), Bangladesh Public Service Commission, Agargaon, Dhaka both are present. Complainant mentioned in his statement that, he filed complaint to the Information Commission directed to provide information but the Designated Officer(RTI) did not provide any information regarding the complaint No.-96/2014 though the commission ordered to provide the same. He also urged the commission to take necessary legal action against the Designated Officer for violating the instructions of the commission.

04. Opposite party Rawshan Ara Jamil, Chief Psychologist and Director (Non cadre & others) & Authorized Officer (RTI), Bangladesh Public Service Commission, Agargaon, Dhaka mentioned in her statement that, as she had no information with her to provide within 26-10-2014, she initiated the file for the

decision of the Public Service Commission the regarding complaint No.-96/2014. Since she had not any information she could not provide the requested information. The information commission was informed that the information would be provided within 26-10-2014 regarding the complaint no.-96/2014 vide memo no-297 dated-26-10-2014. The Chairman of Bangladesh Public Service Commission is out of Bangladesh now for official purpose so meeting could not be held. After his return in country, as per the decision of the meeting to be held, necessary action would be taken to provide information.

Discussion

After hearing and review of submitted evidences on record of both the complainant and the opposite party it seems that, Designated Officer have no information that the complainant seeks, it was ready to put up in the commission meeting for consideration. The Designated Officer (RTI) could not provide the information timely because the chairman of Bangladesh Public Service Commission was out of country for official purpose and no decision was taken in the meeting. Since the information would not be provided within the time frame fixed by the commission, it would be proper to give order to the Designated Officer (RTI) to provide the information on or before 30-12-2014.

Decision

After reviewing the papers, the decision passed in the complaint No.-96/2014 is hereby upheld and the Chief Psychologist & Director (Non-cadre & others) & Authorized Officer (RTI), Bangladesh Public Service Commission, Agargaon, Dhaka is directed to provide information to the complainant on or between 30-12-2014.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No.-147/2014

Complainant: Mr. Md. Abdul Awal

Father-Late Abdus Subhan
Village- Tek Kathora
PO- Salna Bazar
Gazipur Sadar, Gazipur.

Opposite Party: Binita Rani

Assistant Commissioner(Land)
And
Authorized officer(RTI)
Gazipur Sadar
Gazipur.

Decision Paper

(Date: 10-12-2014)

Complainant Mr. Md. Abdul Awal filed a complaint to the Information Commission against Assistant Commissioner (Land), Gazipur Sadar and Deputy Commissioner and Appellate Authority (RTI),Gazipur. He mentioned in his complaint that, the information provided by the Assistant Commissioner (Land) Gazipur & the Designated Officer Mr. Shahinur Islam on last 21-08-2013 abiding to direction of the Chief Information Commissioner, as to why the rents collected more than that information? Seeking information, filed application to the Assistant Commissioner (Land). Having received no information, he filed appeal to the Deputy Commissioner, Gazipur. After 1 day of filling appeal application, the Designated Officer (RTI) delivered information that was not correct. After hearing by the appellate authority, since the Designated Officer delivered correct information, he disposed of the appeal application. Hence, he filed complaint to the Information Commission.

02. The agenda was discussed in the meeting of the Commission on 16.11.2014. Summonses were issued to the parties concerned fixing the date of hearing on 10.12.2014.

03. On the date of hearing complainant Mr. Md. Abdul Awal and Opposite party Binita Rani, Assistant Commissioner (Land) of Gazipur Sadar and Designated Officer (RTI) both are present. The complainant mentioned in his statement that, the information provided by the Assistant Commissioner (Land) Gazipur & the Designated Officer Mr. Shahinur Islam on last 21-08-2013 under the direction of Chief Information Commissioner, as to why the rents collected more than that information? Seeking information, filed application to the Assistant Commissioner (Land). Having received no information, he filed appeal to the Appellate Authority. After hearing the Appellate Authority, disposed of the appeal application. Hence, he filed complaint to the Information Commission.

04. The opposite party Assistant Commissioner (land) Gazipur Sadar, Gazipur in his statement mentioned that, pursuant to previous decision of Information Commission delivered information to the complainant on 21-08-213 and directed to pay rents as that direction but he filed application for information repeatedly on last 16-03-2014. The Designated Officer (RTI) delivered him the information repeatedly on last 16-04-2014. Today she has brought the information with her and ensured to deliver the same information by the direction of the commission.

05. The commission directed the complainant to make clear of his complaint within 2 days and file the application. On the of the basis of the direction of the commission, the complainant filed application. In his application mentioned that, realizing rents repeatedly, rents for agro lands to be collected at the rate of taka 22, illegally mutating in the name of party who has no land at all and missing of mutation file from land office, action necessary in this regard & requested to tag information of mutation & rents of Salna Land Office information board.

Discussion

After hearing the statements and reviewing the submitted evidences on record of both the complainant and opposite party it is found that, the Designated Officer (RTI) delivered information to the complainant by this time and bring information seek with her to delivery on demand. The commission observed that the complaint of complainant should be clear & being review of submitted application for remedy, the Designated Officer (RTI) would be directed to delivery information to the complainant & directed the concerned authority to give remedy by law in this regard.

Decision

The complaint is disposed of with following instructions:

01. Subject to pay cost of information should be provided to the complainant as to why realizing rents for same land area repeatedly, reason of realization of rents for agro lands at the rate of taka 22, reason of illegal mutation in the name of party has no land area at all & missing of mutation files from the office premises & the Assistant Commissioner (Land) Gazipur Sadar, Gazipur is directed to submit written reply on complaints filed by the complainant on or before 15.01.2015 (Photocopy of complaint attached herewith)
02. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act-2009 and under rule-8 of Right to Information (Information finding related) Rules,2009 to government treasury in financial code no-1-3301-0001-1807.
03. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No.-148/2014

Complainant: Mr. Zahid Hasan

Father- Late Mohabbat Ali Munshi
Mohalla- Nagar
Post Office- Netrokona
Netrokona Sadar
Netrokona

Opposite Party: 1.Mr. Md. Siddikur Rahman

District Relief and Rehabilitation Officer
And
Authorized Officer(RTI)
Office of the Deputy Commissioner
Netrokona.
02. Mr. Sadiur Rahman
Assistant Commissioner
And
Designated Officer(RTI)
Office of the Deputy Commissioner
Netrokona.

Decision Paper

(Date: 10-12-2014)

Complainant Mr. Zahid Hassan filed applications to Deputy Commissioner, Netrokona on 17-11-2013 and 11.05.2014 seeking for the following information as per section 8(1) of Right to Information Act, 2009

Information sought on 17.11.2013—

- **List of the T.R, Kabikha (Food for work), Special and General programme in Netrokona District under financial year-2013-14.**

Information sought on 11-05-2014

- **List of the general & special Kabikha Program second phase in Netrokona District under financial year 2013-14 to be provided by law. This list is stored in the office of the District Relief and Rehabilitation Officer.**

02. On the basis of the application for information, the Deputy Commissioner, Netrokona directed the District Relief & Rehabilitation Officer, Netrokona & then directed to all Upazila Nirbahi Officers & Upazila Project Implementation Officer to delivery information sought by the complainant. In this respect, the information delivered to the complainant was partial, mentioning this, the complainant filed appeal to Dr. Khandaker Shawkat Hossain, Divisional Commissioner & Appellate Authority (RTI), Dhaka Division, Dhaka on 15/07/2014. After hearing the appeal, the Appellate Authority (RTI) directed Deputy Commissioner, Netrokona to provide the information sought by the complainant. After that without getting any solution, the complainant filed complaint to the Information Commission against Dr. Abul Kalam Azad, Deputy Commissioner, Netrokona & Mr. Md. Siddikur Rahman, District Relief & Rehabilitation Officer on 09-11-2014.

03. The agenda was discussed in the meeting of the Commission on 16.11.2014. Summonses were issued to the parties concerned fixing the date of hearing on 10.12.2014

04. On the date of hearing complainant Mr. Zahid Hasan and opposite party Mr. Sadiur Rahman, Assistant Commissioner and Designated Officer (RTI), Office of the Deputy Commissioner, Netrokona and Mr. Siddiqur Rahman, District Relief and Rehabilitation Officer, Relief Section, Office of the Deputy Commissioner, Netrokona both are present. Complainant mentioned in his statement that, he filed an application for information mentioned in article-1 to the Deputy Commissioner, Netrokona. Then the Deputy Commissioner, Netrokona directed the District Relief & Rehabilitation Officer, Netrokona & then directed to all Upazila Nirbahi Officers & Upazila Project Implementation Officers to delivery information sought by the complainant. In this respect information partly from 4 Upazila was delivered but no information was supplied from the remaining 7 Upazilas. So, the complainant filed appeal to the Appellate Authority (RTI). After filing of appeal, the Appellate Authority (RTI) directed Deputy Commissioner, Netrokona to delivery the information sought by the complainant. Having found no remedy even after the direction of the Appellate Authority, the complainant filed complaint to the Information Commission.

05. Opposite Party; the Assistant Commissioner & Designated Officer (RTI) mentioned in his statement that, information has been provided to the complainant. If complainant specify and informed which information he did not receive, that information can be provided.

06. The opposite party District Relief & Rehabilitation Officer mentioned in his statement that, he stayed out of the country to perform Hajj in last September, so no correspondence was made with the complainant in this regard. The complainant if specify which information he did not get would be would be provided.

07. Commission mentioned the information sought by the complainant is specific and clear and directed to serve information. The District Relief and Rehabilitation Officer and Designated Officer (RTI) ensured to provide information.

Discussion

Hearing the statements of both parties and reviewing the submitted evidences it was noticed that the information sought for was specific and clear. So, the information is to be provided according to the Right to Information Act, 2009. As per direction of the commission, the District Relief & Rehabilitation Officer and the Designated Officer (RTI) ensured to provide information to the complainant, the complaint is liable to be disposed of.

Decision

After discussion in details the complaint is disposed with following instructions:

1. The District relief and rehabilitation officer, Netrokona and the Designated Officer (RTI) are directed to provide the requested information to the complainant on or before 28.12.2014 on the condition of paying the cost of information.
2. The Designated Officer(RTI) is directed to deposit money collected as cost of information in code no 1-3301-0001-1807 under section-9 of the Right to Information Act, 2009 and rule-8 of the Right to Information (Information finding related) Rules,2009.
3. Both parties are instructed to inform the Information Commission after implementing the directions.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No.-149/2014

Complainant: Valiant Freedom Fighter

Farid Ali Khan
Father- Late Hasem Ali
Section-13, Block-C
Lane-08, House-49, Kafrul
Mirpur, Dhaka-1216.

Opposite Party: Mr. Md. Azharul Hoque

Member (Land & Property
Management)
&
Designated Officer(RTI)
National Housing Authority
Sagun Bagicha, Dhaka.

Decision Paper

(Date: 10-12-2014)

Complainant Valeant Freedom Fighter Farid Ali Khan filed application on 18-08-2014 to Mr. Md. Azharul Khan (Joint Secretary), Member (Land & Property Management) and Designated Officer(RTI), National Housing Authority, Segun Bagicha, Dhaka seeking for the following information under section 8(1) of the Right to Information Act, 2009 –

- **Requested to delivery of the copy of the agreement by and between Asian Development Bank, the financing organization of Dhaka city infrastructure development project at Mirpur of Dhaka aided by Asian Development bank and proposed organization (Dwip Project).**
- **Requested for delivery of copy of the plot allotment notification of Dwip project.**
- **Requested for delivery of prospectus/ Statement of plot allotment in Dwip project.**
- **From a reliable source came to know that, in approved lay out plan of the project included as per prospectus in section no. 1, 2, 6, 11, 12 wheather any plot created or not, requested to delivery of lay out plan.**
- **Whether any lay out plan of section no. 13 in aforesaid Dwip project or not, if yes then delivery of said approved lay out plan and whether any Dwip plot allotted in that section, if yes how many plot are allotted , there plot no. lane no. road no. block no. including up-to-date information is requested to delivery.**
- **Whether any plot created in Dwip project in lane-7 & 8, block-c, section-13 at Mirpur, if yes requested to delivery of lay out plan including plot no.**

02. Getting no information in due time, the complainant filed appeal to Md. Sanwar Ali, Chairman(Acting) & Appellate Authority (RTI), office of the chairman, National Housing Authority, Segun Bagicha, Dhaka on last 21.09.2014. After filing the appeal, being found no remedy; he filed complaints to the Information Commission on 09.11.2014.

03. Agenda was discussed in the meeting of Commission on 16.11.2014. Summonses were issued to the parties concerned fixing the date of hearing on 10.12.2014.

04. On the date of hearing complainant valiant freedom fighter Farid Ali Khan remaining absent sent a petition to settle the complaint as he received information he sought for. Opposite Party Mr. Md. Azharul Hoque (Joint Secretary), Member (Land & Property) & Designated Officer (RTI), National Housing Authority, Segun Bagicha, Dhaka also remained absent.

Discussion

After perusing the submitted documents it seems that the complainant received the required information. Since the Complainant filed application for disposal of the complaint, so this complaint is disposable.

Decision

Since Designated Officer (RTI) provided information and complainant filed application for disposal of the complaint after receiving required information, hence the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida begum syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Information Commission

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

Complaint No.-150/2014

Complainant: Mr. Noor Mohammad
Father- Late Asadullah
97/1, Sankar
Chairman goli, Dhaka.

Opposite Party: Mr. Md. Shah Alam
Chowdhury
Director(Zone-5)
&
Designated Officer(RTI)
Rajdhani Unnayan Katripakhkha ,
Dhaka.

Decision Paper

(Date: 30-12-2014)

Complainant Mr. Noor Mohammad filed application on 14-09-2014 to Mr. Md. Shah Alam, Director (Zone-5) & Designated officer (RTI), Rajdhani Unnayan Katripakhkha , Dhaka seeking for the following information as per section 8(1) of Right to Information Act, 2009:-

- a. **Application to provide required information about removal and disposal of ten storied building constructed illegally under memo of Rajuk bearing no-Rajuk/NA-1/2 C-85/05/51, dated-31.05.2006 constructed on land area of no.-1 Hare Street, Mouza Shahar Dhaka, police station-Sutrapur(Former) presently Wari without approval of Rajuk and violating rules and regulations of the government.**
- b. **Copy of the decision of removal of the existing building.**
- c. **After the decision of 27.02.2007, actions taken for existing building, copy of Statement in details.**
- d. **When and by whom the unauthorizedly built building was removed?Statement in details.**

02. Not getting the required information within stipulated time, the complainant filed appeal to the Chairman of Rajdhani Unnayan kartripakhkha & Appellate Authority (RTI) on 20.10.2014. After that without getting any remedy even after lodging the appeal, he filed complaints to the Information Commission on 10.11.2014.

03. Agenda was discussed in the meeting of Commission on 14.12.2014. Summonses were issued to the parties concerned fixing the date of hearing on 30-12-2014.

04. On the date of hearing complainant Mr. Noor Mohammad and Opposite party Mr. Md. Shah Alam, Director of Rajdhani unnayon Katripakhkha (Zone-5) & Designated Officer (RTI) both are present. .

Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) according to the Right to Information Act-2009 seeking for information mentioned in article-01. Since the Authorized Officer (RTI) delivered no information, he filed appeal to the Appellate authority (RTI). Having received no remedy on appeal, he filed complaint to Information Commission.

05. Opposite party Director of Rajdhani unnayon Katripakhkha (Zone-5) & Designated officer (RTI) mentioned in his statement that, complainant failed to show approved plan timely and being approved for construction of 5 storied building, he completed construction of 10 storied building. Moreover, the Rajdhani Unnayan Katripakhkha filed a writ petition to the honorable High Court bearing no.-3512/11 in this regard.

Discussion

Hearing the statements of both the complainant and the Designated Officer (RTI) and reviewing the submitted documents it was noticed that writ petition was filed to the Honorable High Court by Rajdhani Unnayan Katripakhkha. Since the matter is pending before the Honorable High Court no order may be passed in this regard.

Decision

The complaint is disposed of with following instruction:

Since the matter is pending before the Honorable High Court no order passed in this regard. The complaint is disposed of.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-151/2014

Complainant: Mr. Arup Roy
Father- Utpal Roy
Prothom Alo Savar office
50/A, Savar Bazar Road
Upazilla- Savar
Dist-Dhaka.

Opposite Party: Mr. Md. Rajul Karim
Secretary
&
Authorized Officer(RTI)
Saturia union Council Office
Saturia, Manikgonj.

Decision Paper

(Date-30-12-2014)

Complainant Mr. Arup Roy 2009 filed application on 10-07-2014 to Designated officer (RTI), Saturia Union Council Office, Saturia, Manikgonj seeking for the following information by registered post under section 8(1) of Right to Information Act, 2009 -

- **Amount of money was allotted in LGSP under Sturia Union Council for financial year 2010-2011, 2011-2012, 2012-2013 and 2013-2014. In mentioned financial year name of the project of development work was done by allotted money yearly, allotted amount against every project, last condition of the project with name of their project manager, name of contactor or contactor's organization.**

02. Not getting information in due time, the complainant filed appeal to Md. Abul Bashar Sarker, Chairman & Appellate Authority (RTI) on 14.09.2014. After filing the appeal, being found no remedy; he filed complaints to the Information Commission on 11.11.2014.

03. Agenda was discussed in the meeting of Commission on 14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30.12.2014.

04. On the date of hearing complainant Mr. Arup Roy and Opposite party Mr. Md. Rajul Karim, Secretary & Designated Officer (RTI), Saturia Union Council Office, Saturia, Manikgonj both are present. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Authorized Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission. Information was delivered to him afterward but he did not receive the name and list of those who received tube well.

05. Opposite party Secretary & Designated Officer (RTI), Sauria Union Council Office, Sauria, Manikgonj mentioned in his statement that he contacted with the complainant by mobile for serving information and he agreed to take information for himself. After that information was not provided not because of his physical presence. After filing appeal information was served by post. For misunderstanding full information was not served to the complainant. Designated Officer (RTI) ensured that he would serve rest of the requested information of complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that, complainant received all information except name and list of the tube well receiver. Designated Officer (RTI) since ensured to serve information to the complainant about the name and list with address of the tube well receiver, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Secretary and Designated Officer (RTI), Sauria Union Council, Sauria, Manikgonj is directed to serve the information about name and list with address sought for by the complainant under Right to Information Act, 2009 on or before 11.01.2015.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-152/2014

Complainant: Mr. Md. Farhad Hossain (Valiant Freedom Fighter) Father-Late jalal Uddin Sarker Dargah Road (Abul Medical Hall) Post+Police Station+District-Sirajganj.	Opposite Party: Mr. Atikul Islam Assistant Judge & Designated Officer(RTI) District Judges Court, Sirajganj.

Decision Paper

(Date-18-03-2015)

Complainant Mr. Md. Farhad Hossain (Valiant Freedom Fighter) filed application on 25-08-2014 to Mr. Md. Abdus Salek, District & Session Judge & Designated Officer (RTI), Judge Court, Sirajganj seeking for the following information under section 8(1) of Right to Information Act, 2009 -

- **I the undersigned Md. Farhad Hossain, a helpless, landless valiant freedom fighter; my daughter Mst. Surovi Sarker (Swarna) bearer of Roll No.-2712 duly passed in the examination of process server post and since was duly passed in written examination; Honorable Member of Parliament, Sirajganj & Honorable Minister of Ministry of Liberation War also strongly recommended in the admit card. Honorable Member of Parliament recommended to the Secretary of Law to recruit the candidate basis to admit card & repeatedly I asked the Chief Judicial Magistrate about my insolvency & allow my daughter in service. In viva examination of selection committee; my daughter also asked them about our helpless condition. All of those, my daughter was not recruited in freedom fighter quota. I want information of appointment in freedom fighter quota with details of name & addresses. Not yet, appointment letter is not issued. To save a helpless family & considering aforesaid vulnerable situation, humbly appeal to your honor District Judge to recruit my daughter in said post and oblige thereby.**

02. Respect to said application Mr. Md. Abdus Salek, District & Session Judge, Sirajganj informed vide memo No.-D.J./Siraj/208/14 Dated-16-09-2014 that, since the appointment in process server post not yet completed due to judgment & order of status quo passed by the Honorable Court, information in this regard would not be provided as prayed for. Then filed two applications for information to the Designated Officer (RTI), Judge Court, Sirajganj dated-18-09-2014 & 28-09-2014 and the Designated Officer (RTI) vide two memo respectively D.J./Siraj/215/14 Dated-24-09-2014 & D.J./Siraj/235(2)/14 Dated-09-10-2014 denied to provide information prayed for.

Not being found information prayed for; the complainant filed complaint to the Information Commission on 16-11-2014 against former District Judge to take legal action. In his complaint mentioned that, 08(eight)

candidates were appointed in the post of process server on 02-10-2014 but the information he prayed for was not delivered.

03. The agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30.12.2014.

04. On the date of hearing Designated Officer (RTI) filed time petition. Commission granted time & fixed the date of hearing on 25-01-2015 issued summonses to the complainant & Designated Officer.

05. Since the opposite party remains absent, commission fix the date of hearing on 17-02-2015 issued summonses to the complainant & Designated Officer.

06. Since the opposite party remains absent, commission fix the date of hearing on 18-03-2015. By this time the commission informed by a letter issued & signed by Sheikh Md. Nasirul Haque, District Judge (Acting), Sirajganj dated-25-01-2015 that Mr. Md. Atikul Islam, Assistant Judge, Tarash, Sirajganj is appointed as Designated Officer & the letter was received by the commission on 03-02-2015. In this respect issued summonses to the complainant & Designated Officer.

07. On the date of hearing complainant Mr. Md. Farhad Hossain (Valiant Freedom Fighter) is present. Opposite Party Mr. Atikul Islam, Assistant Judge & acting Designated officer (RTI), District Judges Court, Sirajganj is present. Complainant mentioned in his statement that he filed application to the District & Session Judge under Right to Information Act, 2009 seeking for the information mentioned in article-01. He informed that, since the appointment in process server post not yet completed due to judgment & order of status quo passed by the Honorable Court, information in this regard would not be served as prayed for. But in the post of process server some of them are appointed & result of appointment was tagged in the notice board.

08. Opposite party Assistant Judge & Designated officer (RTI), District Judges Court, Sirajganj mentioned in his statement that, complainant filed application to the learned District & Session Judge instead of Designated Officer (RTI) & not filing appeal, filed complaint to the Information Commission. Existing employees filed Writ Petition to the learned court for promotion in process server post from peon in 50% quota under Service Rule. Since the learned court passed judgment & orders that the authority reserves the right to appoint in remaining 50% quota as to why out of 17 posts 8 persons are appointed. No appointment was done on freedom fighters' quota. Since the suit pending before the learned court, so, no information was delivered to the complainant.

09. Since Designated Officer was not appointed previously in the office of District Judge, filing of application for information to the District Judge was legal & there is provision of filing complaint directly to the Information Commission if Designated Officer is not appointed. As per Right to Information Act, 2009, no appointment of Designated Officer within 60 days of passing the act is violation of law. The information sought for by the complainant regarding appointed 8 persons, since was tagged in notice board, information is open & there is no suit pending to the court in this regard. Hence there is no barrier to provide information

sought for by the complainant under Right to Information Act, the commission mentioned; the Designated Officer (RTI) ensured to provide the information sought by the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that, since a suit pending before the learned court; so, the Designated Officer (RTI) could not deliver information to the complainant. The complainant sought for information regarding appointed 8 persons, since it was tagged on the notice board, information was open & there was no suit pending to the court in this regard. The Designated Officer (RTI) ensured to provide information sought for by the complainant as directed by the Information Commission & the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Assistant Judge & Designated officer (RTI), District Judges Court, Sirajganj is directed to provide the information sought for by the complainant on or before 29-03-2015 subject to pay the cost of information.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-153/2014

Complainant: Mr. Arup Roy
Father- Utpal Roy
Prothom Alo Savar office
50/A, Savar Bazar Road
Upazilla- Savar
Dist-Dhaka.

Opposite Party: Mr. Meer Mosharaf Hossain
Director
&
Designated Officer(RTI)
Processing section
Bangladesh Water Development Board
WAPDA building, Motijheel
commercial Area, Dhaka.

Decision Paper

(Date-30-12-2014)

Complainant Mr. Arup Roy filed application by registered post on 20-07-2014 to Designated officer (RTI), Director General's office, Bangladesh Water Development Board, WAPDA building, Motijheel C/A, Dhaka seeking for the following information under section 8(1) of Information Rights Act, 2009-

- 1. Whether any land belong the then Water & power development Authority and presently Water Development Board in JL no.-170 and plot area of Khatian no- 3 respectively plot nos. 181, 182, 183, 185 and 186 in Mouza Chota Bolimeher under Upazila Savar district-Dhaka or not?**
- 2. If yes, whether leased in the name of any organization or individual or not? If yes, then name of organization or individual including terms and conditions of lease agreement.**
- 3. If acquired, L/A case no. and name of the organization for which acquire issued including date of acquisition.**
- 4. If nor acquired or leased, then details of present land position.**

02. Not getting the information in due time, the complainant filed appeal to the Secretary & Appellate Authority (RTI), Ministry of Water Resources, Bangladesh secretariat, Dhaka on 09.10.2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 23.11.2014.

03. Agenda was discussed in the meeting of Commission on 14.12.2014. Pursuant to the decision of meeting summonses were issued to the concerned parties fixing the date of hearing on 30.12.2014.

04. On the date of hearing complainant Mr. Arup Roy is present. Opposite party Mr. Meer Mosharaf Hossain, Director & Designated Officer (RTI), Processing Section, Bangladesh Water Development Board, WAPDA Building, Motijheel C/A, Dhaka and his attorney learned advocate Mr. Md. Syed Alam Tipu are present. The complainant mentioned in his statement that he filed application to the Designated Officer (RTI)

under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) did not provide information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to the Information Commission. After issuance of summon by the Information Commission, yesterday he has received information sought for by post in article 1 in serial no. 1, 2 and 3 but information of serial no. 4 was not provided.

05. Opposite party Director & Designated Officer (RTI) mentioned in his statement that, he did not receive the application for information. After the appeal application filed by the complainant, knowing about the information he sought for, the Designated Officer requested the land revenue Directorate to serve information. Then the Land Revenue Directorate served information to the complainant.

06. Learned Advocate for the designated officer (RTI) mentioned in his statement that, WDB has land property about 20 Bighas. It was acquired vide L/A case no. 41/56-57. According to ownership belong to WDB. Land area under acquired if remain vacant and unused, there is possibility of dispossession. Saying someone illegal possessor to any public property is not legal. Hence written statement in this regard was not possible. The complainant if supply the list of illegal possessor, it would be possible to evict illegal possessor by Deputy Commissioner. If there is any illegal possessor in land area, to evict them is not responsibility of complainant but the concerned authority preparing the list should have to take legal action, as commission means, the Designated Officer (RTI) also agreed to it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the complainant received information excluding the information serial no. 4. The Designated Officer (RTI) ensured to take legal action to evict illegal possessor of 20 bighas land area of WDB after preparing the list and with assistance of Deputy Commissioner, so, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Director & Designated Officer (RTI), Processing Section, Bangladesh Water Development Board, WAPDA Building, Motijheel C/A, Dhaka is directed to collect the list of names of illegal possessor within next 21.01.2015 and take necessary action to evict illegal possessor according to Eviction Law and with assistance of Deputy Commissioner and provide the requested information to the complainant.
2. Both the parties are directed to inform the Information Commission after implementation of direction.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-154/2014

Complainant: Mr. Md. Matiur Rahman	Opposite Party: Dr. A.M Shariar Toufik
Father- Md. Nurul Islam	Dairy Economist
Village- No. 1 Kalma	&
Post-Dairy Farm,	Designated Officer(RTI)
Police Station- Savar	Central Dairy Reproduction &
District-Dhaka.	Dairy Farm
	Savar, Dhaka.

Decision Paper

(Date-30-12-2014)

Complainant Mr. Md. Matiur Rahman filed application by registered post on 29-09-2014 to the Designated Officer (RTI), Central Dairy Reproduction & Dairy Farm, Savar, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009-

- (a) How much acre of land area in total under Savar central dairy reproduction & dairy Farm? Out of that how many acre land area for cultivation?**
 - (b) In the year 2013-14 total how much money was allocated for agro sector? Head wise accounts or particular of expenses of the amount.**
 - (c) Individual particulars of goods purchased for agro sector and present condition of goods. True photocopy of bills for purchase of goods.**
 - (d) How much is the wage for out sourcing labor? Communication media of each labor with present and permanent address.**
 - (e) How much money is the present balance?**
- (a) Which benefits are showing in passing of gas to power plant project. True photocopy of that letter. How much is the total cost of gas to power plant project? Head wise accounts of these amount and true copy of bills for purchase goods.**
 - (b) How much megawatt capacity of that power plant? In which sector this power is used?**
 - (c) Present condition of gas to power plant needed in writing.**
- 3. True photocopy of paid electricity bill of dairy reproduction and Dairy farm from 1st April 2014 to August.**

02. In response to said application Dr. A.M Shariar Toufik, Information Officer served information to the complainant vide memo no. 1364 dated-20.10.2014. Since the information delivered found Confusing by the complainant, he filed appeal to the Director General & Appellate Authority (RTI), Directorate of Livestock, Khamar Bari, Dhaka on 28.10.2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 23.11.2014.

03. Agenda was discussed in the meeting of Commission on 14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30.12.2014.

04. On the date of hearing complainant Mr. Md. Matiur Rahman is present. Opposite Party Dr. A.M Sahriar Toufik, Dairy Economist & Designated officer (RTI), Central Dairy Reproduction & Dairy Farm, Savar, Dhaka is present. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered some Confusing information, he filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Opposite party Dairy Economist & Designated officer (RTI), Central Dairy Reproduction & Dairy Farm, Savar, Dhaka mentioned in his statement that, complainant was provided with the information he sought for. Since the requirement of 1(c), bill-vouchers are not information at all sought for by the complainant, hence, it was not issued. In case of information sought for in serial 1(d), since the works done by contractors, hence information of appointed workers and list would not be served. Information of serial no. 2(a), since not available to him, could not served. Power plant project since was implemented by Bogra Polli Unnayan Academy under a program coordinator director appointed by the then Ministry of Fisheries and livestock. Mentioned that the project coordinator now posted in Barisal Division as a Deputy Director.

06. In case of information sought for in serial no.1 (d), seeking information of which year? In reply of such question by the commission, complainant said that he was seeking information of the year 2013-14. Respect to information sought in serial no.1 (d) should provide name and address of the contractors, so that he can search and collect information he needed. Respect to information sought for in serial no.2 (a), if the information available in official record should provide to him. If not available, the Designated Officer (RTI) would inform the complainant source of information to which application should be submitted. The Designated Officer (RTI) also agreed this.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the complainant received information excluding 1(d) and 2(a). Since the Designated Officer (RTI) ensured to provide information of serial 1(d) and 2(a) sought for by the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Dairy Economist & Designated Officer (RTI), Central Dairy Reproduction & Dairy Farm, Savar, Dhaka is directed to provide the information sought for by the complainant in serial no.1 (d) and 2(a) as per direction of serial no.6 on or before 27.01.2015 subject to pay the cost of information.

2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-155/2014

Complainant: Mr. Md. Kutub Uddin
Father-Late Mvi. Safiuddin
E-34, Beside RAB-2
Agargaon, Dhaka-1207.

Opposite Party: Mr. S M Kamal Uddin Haider
Assistant Director
&
Designated Officer (RTI)
Directorate of Secondary &
Higher Secondary Education
Nawab Abdul Gani Road, Dhaka.

Decision Paper

(Date-31-12-2014)

Complainant Mr. Md. Kutub Uddin filed application on 08-10-2014 to Mr. S M Kamal Uddin Haider, Assistant Director, & Designated Officer (RTI), Directorate of Secondary & Higher Secondary Education, Nawab Abdul Gani Road, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009-

1. **Information of decision taken by the authority respect to application filed by Mr. Md. Nabuyat Ali (Copy attached) to Director General, Secondary & Higher Education, Dhaka against administrative corruptions of Fulhara Regional High School of Gheor Upazila under Manikganj District.**
2. **Information of reason to delay in taking necessary action in this regard though the local Member of Parliament Mr. A M Naimur Rahman, Manikganj-1 recommended on that application.**
3. **Though the fabricated academic certificate, forged registration certificate & illegal appointment letter of accused mentioned in aforesaid application proved, information as to why the MPO was not cancelled yet. Attested copy of their academic qualification & registration certificate.**
4. **Kabir Khan being fabricated Chairman of recruitment committee appointed the Headmaster and 08 assistant teachers, 01 MLSS, 01 Librarian illegally and though the illegal MPO was proved, information as to why the illegal MPO yet not cancelled.**
5. **Though aforesaid Kabir Khan & Zaber Khan sentenced as accused in drug trafficking, store & addicted (Copy attached); information regarding the legality of their guardian committee president & membership. The inspector of schools informed that the election process was not legal (copy attached).**
6. **Legal documents & information relevant to that impugned recruitment committee.**
7. **Attested copy of 12 years of experience certificate of Shilpi Akter, the Headmistress of that school, attested copy of appointment letter & joining letter.**
8. **Information regarding school monitoring report for last 03 fiscal years.**
9. **Information of up-to-date audit report of that school.**

02. Not getting the information in due time, the complainant filed appeal to the Secretary & Appellate Authority (RTI), Ministry of Education, Bangladesh Secretariat, Dhaka on 03.11.2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on last 26.11.2014

03. The agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 31.12.2014.

04. On the date of hearing Complainant Mr. Md. Kutub Uddin is present. Mr. S M Kamal Uddin Haider, Assistant Director, & Designated Officer (RTI), Directorate of Secondary & Higher Secondary Education, Nawab Abdul Gani Road, Dhaka is present. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since Designated officer did not provide information so, he filed appeal to Appellate Authority (RTI.) Being found no remedy on appeal, he filed complaint to Information Commission.

05. Opposite party Assistant Director, & Designated Officer (RTI) mentioned in his statement that, he did not receive any application for information. After issuance of summon from commission he came to know about application of complainant, he brought requested information with him. Regarding information of serial no.1, the suit was pending before the High Court, no information was delivered to the complainant. Ensured to provide 120 pages of information in 8 points excluding information no.1.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that Designated Officer (RTI) did not receive any application for information so, he could not serve information. Regarding information of serial no.1, the suit pending before the High Court, no information was delivered to the complainant. Ensured to serve 120 pages of information in 8 points excluding information no.1, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Assistant Director, & Designated Officer (RTI), Directorate of Secondary & Higher Secondary Education, Nawab Abdul Gani Road, Dhaka is directed to provide the information of serial no.(2-8) sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 12.01.2015.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.

3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-156/2014

Complainant: Mr. A S M Alamgir
Father-A K M Shahjahan
Puratan Bazar,
Upozila-Birampur
District-Dinajpur.

Opposite Party: Mr. Md. Aminul Islam
Upazila Education Officer
&
Designated Officer(RTI)
Nawabganj, Dinajpur.

Decision Paper

(Date-25-01-2015)

Complainant Mr. A S M Alamgir filed on 08-10-2014 application to Mr. Md. Aminul Islam, Upazila Primary Education Officer & Designated Officer (RTI), Nawabganj, Dinajpur seeking for the following information under section 8(1) of Right to Information Act, 2009.

- **How many Government Primary Schools are there in Nawabganj Upazila? In how many institutions peon cum night guards have been appointed? Appointment examination held in which date, in which place to which schools? At the time of such appointment whether the Upazila Education Committee & School Managing Committee had legal validity? Pursuant to oral information delivered by Nawabganj Education Office, bypassing original resolution register of Upazila Education Committee prepared another resolution register, photocopy of resolution of last 23 of last year in original resolution & fabricated resolution register. Photocopy of the latest pages of original resolution register. Photocopy of order to stay the appointment of passed candidates in appointment examination issued & passed by the local parliamentarian. Whether the Upazila Nirbahi Officer approved the appointment of candidates passed in examination or not? Whether the appointment of peon cum night guard proceed by the schools without approval of UNO or not? Whether you asked any written reply from heads of these institutions who appointed staffs or not? If replied, then photocopy of reply served by heads of these five institutions. Whether the then Education Officer Hitlaruzzaman instructed Assistant Education Officer in written to perform responsibility in recruitment process or not? Who was the then Assistant Education Officer?**
- **The Education Officer Hitlaruzzaman joined in Nawabganj in which year? He posted in Nawabganj upto which date of which year? How much grants was approved then to which school under SLIP Program? How much was allotted to which institution as education items? How much was granted for minor repairing to which schools? Photocopy of vouchers issued by the heads of institutions against SLIP education items purchase & minor repairing. How much was the semester & annual examination fee at that time? Price of questions papers was taken how much for each one? How many teachers were transferred from which institutions to which institutions under what provisions of law? Their names, address & mobile phone nos.**

02. Not getting the information in due time, the complainant filed appeal to Mr. Md. Ekramul Haque, the District Primary Education Officer & Appellate Authority (RTI), Dinajpur on 14-10-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 24-11-2014.

03. The agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 31.12.2014.

04. On the date of hearing Complainant filed time petition. The commission approved time & fixing the date of hearing on 25-01-2015 and issued summonses to the complainant & the Designated Officer (RTI).

05. On the date of hearing, complainant Mr. Md. Harun-Or-Rashid being received information prayed for disposal of the application to the Information Commission sending a letter remained absent. Opposite party Mr. Md. Aminul Islam, Upazila Education Officer & Designated Officer (RTI), Nawabganj, Dinajpur being filed application to dispose of complaint remained absent.

Discussion

Reviewing the submitted evidences by the complainant it was found that, Mr. Md. Aminul Islam, Upazila Education Officer & Designated Officer (RTI), Nawabganj, Dinajpur served information to the complainant prayed for & the complainant received the information he prayed for. Being satisfied with the information he received, filed application to settle the complaint so, the complaint seems to be disposable.

Decision

As Mr. Md. Aminul Islam, Upazila Education Officer & Designated Officer (RTI), Nawabganj, Dinajpur served information to the complainant prayed for & the complainant received the information & being satisfied with the information, filed application to settle the complaint, hence the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-157/2014

Complainant: Mr. Khalid Hossain
Father-Md. Siraj
Nagorik Uddyog
8/14, Block-B
Lalmatia, Mohammadpur
Dhaka-1207.

Opposite Party: Mr. Md. Mosharrof Hossain
Joint Secretary (Administration
Wing)
&
Designated Officer(RTI)
Ministry of Home Affairs
Bangladesh Secretariat, Dhaka.

Decision Paper

(Date-25-01-2015)

Complainant Mr. Khalid Hossain filed application on 11-08-2014 to the Designated Officer(RTI) of Ministry of Home Affairs seeking for the following information under section 8(1) of Right to Information Act, 2009-

- 1. Copy of decisions passed by the Ministry of Home Affairs regarding issuance of passports to Urdu lingual Bangladeshis staying in camps in Chittagong & Dhaka in Bangladesh.**
- 2. Copy of existing policies of the Ministry of Home Affairs regarding issuance of passports to Urdu lingual Bangladeshis staying in camps in Chittagong & Dhaka in Bangladesh.**
- 3. Recently passports were issued to Urdu lingual Bangladeshis staying in camps in Mymensingh, Khulna & Syedpur. Copy of order by which issued passports to them.**

02. Not getting the information in due time, the complainant filed appeal to Dr. Md. Mozammel Haque Khan, the Secretary of ministry of Home Affairs & the Appellate Authority (RTI) on 14-10-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 01-12-2014.

03. The agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 31.12.2014.

04. On the date of hearing Designated Officer (RTI) filed time petition. The commission approved time & fixed the date of hearing on 25-01-2015 and issued summonses to the complainant & the Designated Officer (RTI).

05. On the date of hearing, complainant Mr. Khalid Hossain is present. Opposite party Mr. Md. Mosharrof Hossain, the Joint Secretary (Administration Wing) of Ministry of Home Affairs & Designated Officer (RTI) is

present. The complainant in his statement mentioned that, he filed application for information under Right to Information Act, 2009 to the Designated Officer (RTI) seeking for information of article No.-1. The Designated Officer (RTI) since provided no information, he filed appeal to the Appellate Authority (RTI). After filing appeal being found no remedy, filed complaint to the Information Commission. The complainant mentioned more that, he received information he prayed for on 22-01-2015 and he is satisfied with information delivered.

06. The opposite party, Joint Secretary (Administration Wing) of Ministry of Home Affairs & the Designated Officer (RTI) mentioned in his statement that the information was provided to the complainant as prayed for.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that, the Designated Officer (RTI) served information to the complainant as prayed for. Since the complainant received information he prayed for, hence, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instruction:

As the complainant received the information he prayed for & being satisfied with the information, hence, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission
Archaeology Building (2nd Floor)
F-4/A, Agargaon Administrative Area
Sher-E-Bangla Nagar, Dhaka-1207

Complaint No.-158/2014

Complainant: Mr. Md. Tarikul Islam Linkon
Father-Md. Abdul Majid Miah
62/3/B, Soth Mugdapara
Dhaka.

Opposite Party: Mr. Nazrul Islam Misha
Public Relations Officer
&
Authorized Officer(RTI)
BIWTC
Dhaka.

Decision Paper
(Date-25-01-2015)

Complainant Mr. Md. Tarikul Islam Linkon filed complaints to the Information Commission again against Mr. Nazrul Islam Misha, the Public Relations Officer of BITWC & the Designated Officer (RTI) regarding complainant No.-87/2014 filed on 01-12-2014. In his complaint he mentioned that, after hearing on complaint No.-87/2014, the Information Commission imposed penalty as criminal to the Designated Officer (RTI) and directed to serve all the information prayed for but being not served information shown disrespect to the Information Commission and harassing him & damaging his interest. Mentioning discriminations in information provided, he requested to take action to serve complete information in this regard.

02. The agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 31.12.2014.

03. On the date of hearing Designated Officer (RTI) filed time petition. The commission approved time & fixed the date of hearing on 25-01-2015 and issued summonses to the complainant & the Designated Officer (RTI).

04. On the date of hearing, complainant Mr. Md. Tarikul Islam Linkon received his due bills & information prayed for filed application to the Information Commission to settle & dispose of the complaint and remained absent. Opposite party Mr. Nazrul Islam Misha, the Public Relations Officer of BIWTC & Designated Officer (RTI) remained absent.

Discussion

After reviewing the submitted evidences by the complainant it was found that, Mr. Nazrul Islam Misha, the Public Relations Officer of BIWTC & Designated Officer (RTI) served information to the complainant prayed for & the complainant received the information he prayed for. Being satisfied with the information he received, filed application to settle the complaint, so, the complaint to be disposable.

Decision

As Mr. Nazrul Islam Misha, the Public Relations Officer of BIWTC & Designated Officer (RTI) served information to the complainant prayed for & the complainant received the information & being satisfied with the information, filed application to settle the complaint, hence, the complaint is disposed of.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-159/2014

Complainant: Mr. Md. Kutub Uddin

Father-Late Mvi. Safiuddin
E-34, Beside RAB-2
Agargaon, Dhaka-1207.

Opposite Party: Mr. Md. Abdus Sattar

Executive Engineer
&
Designated Officer(RTI)
Local Government Engineering
Department
Agargaon, Dhaka-1207.

Decision Paper

(Date-31-12-2014)

Complainant Mr. Md. Kutub Uddin filed application by registered post on last 12-10-2014 to Mr. Abdus Salam, Executive Engineer & Designated Officer (RTI), Project Monitoring & Regulations, Local Government Engineering Department (LGED), Agargaon, Dhaka-1207 seeking for the following information under section 8(1) of Right to Information Act, 2009-

- Information regarding up-to-date progress of work for carpeting of DPP enlisted road duly recommended by Mr. A.K.M. Shahjahan Kamal, Honorable Member of Parliament, 276, Laxmipur-3 vide D/O letter of the date-03-16-2014.

2. Not getting the information in due time; the complainant filled appeal to the Secretary & Appellate Authority (RTI), Local Government Division, Bangladesh Secretariat, Dhaka on 10-11-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 03-12-2014.

3. The agenda was discussed in the meeting of Commission on 14-12-2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 31-12-2014.

4. On the date of hearing complainant Mr. Md. Kutub Uddin is present. The opposite party Mr. Abdus Sattar, the Executive Engineer (Administration) & Designated Officer (RTI), Local Government Engineering Department, Agargaon, Dhaka is present. The complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Authorized Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

5. The opposite party Executive Engineer & Designated Officer (RTI) mentioned in his statement that, he did not receive any application for information. Basis to application for information filed by the complainant on last 20-02-2014 information was delivered on 25-3-2014. Since the summon has been issued by the Information Commission and the application for information filed by the complainant was same, no information was delivered to the complainant further. He ensured to provide information to the complainant as directed by the Commission on the basis of application for information attached herewith the summon.

6. Respect to the statement by the Designated Officer, the complainant informed that the application for information filed previously & subject matter of application for information pending is not same. He prayed for information about present progress of road works on recommendation of the Member of Parliament.

7. Since the Commission gave consent to serve information to the complainant, the Designated Officer (RTI) ensured to serve information sought for by the complainant after collection within 7 days.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the Designated Officer (RTI) did not receive any application for information. On receipt of summon issued by the Commission, informed about application for information. The Designated Officer (RTI) ensured to serve the information prayed by the complainant as per direction of the commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Executive Engineer (Administration) & Designated Officer (RTI), Local Government Engineering Department, Agargaon, Dhaka is directed to provide the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 12.01.2015.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rule, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Faeooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-160/2014

Complainant: Mr. Md. Harun-Or-Rashid
Father-Late Daraj Uddin
Village-Itakhola School Para
Post-Kanial Khata
Upazila & District-Nilphamari.

Opposite Party: Manager
Sonali Bank Limited
Nilphamari Branch
Nilphamari.

Decision Paper

(Date-31-12-2014)

Complainant Mr. Md. Harun-Or-Rashid filed complaint to the Information Commission on 04-12-2014. The complainant filed his complaint to this effect that, since Designated Officer (RTI) was not appointed in Sonali Bank Nilphamari Branch, he cannot receive information prayed for.

02. The agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 31.12.2014.

03. On the date of hearing Complainant Mr. Md. Harun-Or-Rashid on receipt of information he prayed for filed application to the Information Commission to dispose of the complaint as revoked and remained absent. The opposite party Manager, Sonali Bank Limited, Nilphamari Branch, Nilphamari sending the name, designation & address of appointed Designated Officer (RTI) & Appeal Authority (RTI) remained absent.

Discussion

Reviewing the submitted evidences by the complainant it was found that the Manager, Sonali Bank Limited, Nilphamari Branch, Nilphamari provided information to the complainant prayed for & the complainant received the information he prayed for. Being satisfied with the information he received, complainant filed application to settle the complaint, so, the complaint seems to be disposed.

Decision

As the Manager, Sonali Bank Limited, Nilphamari Branch, Nilphamari provided information to the complainant prayed for & the complainant being satisfied with the information he received, and filed application to settle the complaint, hence, the complaint is disposed of.

Let the copy be served to the parties concerned.

Signed

(Nepal Chandra Sarkar)
Information Commissioner

Signed

(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-161/2014

Complainant: Mrs. Nazma Khatun Puspita
Father-Md. Raham Ali
Staff Reporter
Daily Sarejamin Barta
75, Siddheshwari Circular Road
Malibagh, Dhaka.

Opposite Party: 1. Mr. Md. Golam Rahman
Director (Training, Planning &
Development)
&
Designated Officer (RTI)
Directorate of Fire Service & Civil
Defense
2. Mr. Md. Abdus Salam
Director (Administration/Finance)
Directorate of Fire Service & Civil
Defense

Decision Paper

(Date-31-12-2014)

Complainant Mrs. Nazma Khatun Puspita filed application by registered post on 10-06-2014 to Major Mohammad Jihadul Islam, the Director (Training, Planning & Development) of Fire Service & Civil Defense & Designated Officer (RTI) seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **Attested copies of Freedom Fighter Sanad and all Documents Submitted by Mr. Md. Abdus Salam (Director, Administration & Finance), Fire Service and Civil Defence Headquarter, Dhaka in support of his being Freedom Fighter.**

02. In respect to said application the Designated Officer (RTI) provided information to the complainant vide memo no. MPD/FSCD/Information/8017/1(4) dated-03-07-2014. Being not satisfied with the information delivered, the complainant filed appeal to the Director General of Fire Service & Civil Defense & Appellate Authority (RTI) on 28.10.2014. After filing the appeal, being found no remedy; she filed complaint to the Information Commission on 07-12-2014.

03. Agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 30.12.2014.

04. On the date of hearing complainant Mrs Nazma Khatun Puspita is present. Opposite Party Mr. Md. Golam Rahman, the Director of Fire Service & Civil Defense Directorate (Training, Planning & Development) & Designated Officer (RTI) & Mr. Md. Abdus Salam, Director (Administration & Finance), Fire Service and Civil Defense both are present. The complainant mentioned in her statement that she filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Being dissatisfied with information provided by the Designated Officer (RTI), she filed appeal to

the Appellate Authority (RTI). Being found no remedy on appeal, she filed complaint to Information Commission.

05. Opposite party, the Director of Fire Service & Civil Defense Directorate (Training, Planning & Development) & Designated Officer (RTI) mentioned in his statement that, he joined in the office yesterday. The then Designated Officer (RTI) sent relevant documents to the Ministry of Home Affairs. He doesn't know which information the Ministry provided to the complainant.

06. Director (Administration/Finance) mentioned in his statement that, being filed application for information to the then Designated Officer (RTI), since there is obligation to serve information under provisions of Cha(f) & Ja(h) of section 7 of Right to Information Act, no information was provided. Newspaper report was published describing him as forged freedom fighter. Protest letter was sent in this regard. Collecting certificates from Districts, Upazilas & Union Council, the Ministry of Freedom Fighters Affairs sent those to the Ministry of Home Affairs. In Bangladesh gazette (Serial No.-141) & in Muktibarta his name is recorded as Freedom Fighter. After investigation recently NSI served report to the Ministry of Freedom Fighters Affairs, now will issue final digital certificate. All documents & certificates he has to him brought with him and can produce on demand. He has no objection to serve this information at all.

07. The Commission when mentioned to produce present certificates & documents duly certified by the Designated Officer (RTI), the Designated Officer (RTI) also agreed this.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that out of information prayed by the complainant, the Director (Administration/Finance) has no objection to produce certificates & documents available now & as per direction of the Commission, the Designated Officer (RTI) since ensured to provide information, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Director of Fire Service & Civil Defense Directorate (Training, Planning & Development) & Designated Officer (RTI) is directed to provide the information sought for by the complainant under Right to Information Act, 2009 on or before 12-01-2015 subject to pay the cost of information.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissione

Information Commission

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

Complaint No.-162/2014

Complainant: Mr. Abu Raihan
Father-Md. Idris Ali
C/O.-Md. Mamun
Information Commission
F-4/A, Agargaon
Dhaka-1207.

Opposite Party: Mr. Dilip Kumar Bhadra
Director
&
Designated Officer (RTI)
Statistics Building
E-27/A, Agargaon, Dhaka.

Decision Paper

(Date-31-12-2014)

Complainant Mr. Abu Raihan filed application on 19-10-2014 to the Director General & Designated Officer (RTI), Statistics Building, Bangladesh Statistics Bureau, E-27/A, Agargaon, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009-

Basis to the memo of Bangladesh Statistics Bureau bearing No.-52.01.0000.104.11.206.12-5161 Dated-12/12/2012 to recruit manpower, seek following information-

- 1. How many candidates filed application for the post of Statistics Assistant (SA)?**
- 2. How many candidates participated in the written examination for appointment in the post of Statistics Assistant (SA) held on 14/02/2014**
- 3. How many candidates passed in the written examination for appointment in the post of Statistics Assistant (SA) held on 14/02/2014**
- 4. What is the lowest obtained number of candidate passed in written examination for appointment in the post of Statistics Assistant (SA)?**
- 5. What is the highest obtained number of candidate passed in written examination for appointment in the post of Statistics Assistant (SA)?**
- 6. Each set of question paper used for appointment examination in the post of Statistics Assistant (SA) and each set of answer papers evaluated on said question paper, I want.**
- 7. The candidate bearing No.-71985 participated in the examination for appointment in the post of Statistics Assistant (SA) held on 14/02/2014 obtained how many number.**

02. Not getting the information in due time, the complainant filed appeal to Mrs. Suraiya Begum, NDC, the Secretary & Appellate Authority (RTI), Statistics & Information Management Department, Statistics Building, Dhaka on 19-11-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 08-12-2014.

03. The agenda was discussed in the meeting of Commission dated-14.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 31.12.2014.

04. On the date of hearing Complainant Mr. Abu Raihan is present. Opposite Party Director of Bangladesh Statistics Bureau & Designated Officer (RTI), Mr. Dilip Kumar Bhadra is present. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer did not serve information, he filed appeal to Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Opposite party Director of Bangladesh Statistics Bureau & Designated Officer (RTI) mentioned in his statement that, he did not receive any application for information but informed about it after filing of appeal by the complainant. Information regarding examination since was under custody of IBA & at the time of filing application, since the Viva was not held, could not provide information. Information prayed in serial No.-1, 2, 3 was available to serve but the provision of providing information partly under Right to Information Act, 2009 was not informed.

06. Information prayed in serial No.-1, 2, 3 would be provided & after publication of final result, within 15 days remaining information should be provided, the Commission since expressed such opinion, the Designated Officer (RTI) also agreed it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that at the time of filing application the Viva was not held & information regarding examination was under custody of IBA. Moreover, the provision of providing information partly under Right to Information Act, 2009 was not informed to Designated Officer (RTI), hence provided no information. As direction of the Commission, the Designated Officer (RTI) since ensured to serve information prayed by the complainant in serial No.-1, 2, 3 within 12-01-2015 & after publication of final result, within 15 days remaining information should be served, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Director of Bangladesh Statistics Bureau & Designated Officer (RTI) is directed to provide the information sought for by the complainant in serial No.-1, 2, 3 on or before 12-01-2015 & after publication of final result, within 15 days remaining information to be provided under Right to Information Act, 2009 subject to pay the cost of information.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-163/2014

Complainant: Mr. Md. Mahbubur Rahman
Father- Md. Afzal Hossain
Village- Charia Shikar
PO- Hatikumrul
Upazila- Ullapara
Dist- Sirajgonj.

Opposite Party: Mr. Mohammad Shamim Alam
Upazila Nirbahi Officer
&
Designated Officer (RTI)
Ullapara, Sirajgonj.

Decision Paper

(Date-17-02-2015)

Complainant Mr. Md. Mahbubur Rahman filed application by registered post on 24-09-2014 to Upazila Nirbahi Officer/ Office Chief & Designated Officer (RTI), Ullapara, Sirajgonj seeking for the following information under section 8(1) of Right to Information Act, 2009-

- (a) How much money was allotted in 1% in union wise in Ullapara Upazila since July/11 to June/14. (for each union separately).**
- (b) Allotted money was spending for which development work? With master role/ copy of voucher.**
- (c) Copy of Policy/ Circular of spending 1% money in development work.**
- (d) Copy of the spending regulation book of 1% money in union wise.**
- (e) Audit copy of expenditure of 1% money since july/11 to june/13.**

02. Not getting the requested information in due time, the complainant filed appeal to the Designated Officer/ Office Chief & Appellate Authority, Deputy Commissioner, Sirajgonj on 05.11.2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 09.12.2014.

03. Agenda was discussed in the meeting of Commission dated-31.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 25.01.2015.

04. On the hearing date Designated Officer (RTI) filed time petition. Time is granted by commission and fixed a date again on 17.02.2015 and issued summonses to the complainant and Designated Officer (RTI).

05. On the date of hearing complainant Mr. Mahbubur Rahman, after received information filed an application for disposal of complaint in the commission remained absent. Opposite party Mr. Shamim Alam,

Upazila Nirbahi Officer & Designated Officer (RTI), Ullapara, Sirajgonj remained absent after submitting the copy of information delivered to the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that Mr. Shamim Alam, Upazila Nirbahi Officer & Designated Officer (RTI), Ullapara, Sirajgonj has delivered the requested information to the complainant and complainant received the information. Since the complainant is satisfied with delivered information and he filed application for disposal of complaint, the complaint seems to be disposable.

Decision

Since, Mr. Shamim Alam, Upazila Nirbahi Officer & Designated Officer (RTI), Ullapara, Sirajgonj has delivered the requested information to the complainant and complainant satisfied with received information and filed application for disposal of complaint so, the complaint is disposed of and commission directed to Designated Officer (RTI) to submit the copy served information Commission within 15 days.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khursida Begum Syeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-164/2014

Complainant:	Mr. Ahmed Syed Bulbul	Opposite Party: Civil Surgeon
	Father- Farazi Sahadat Hossain	&
	61, Loan Office Para	Designated Officer (RTI)
	Jessore.	Office of the Civil Surgeon
		Jessore.

Decision Paper

(Date-26-01-2015)

Complainant Mr. Ahmed Syed Bulbul filed application on 24-09-2014 to Dr. Atikur Rahman Khan, Civil Surgeon & Designated Officer (RTI), Civil Surgeon Office, Jessore seeking for the following information under section 8(1) of Right to Information Act-2009-

- **Audit reports of financial year 2011-12 and 2012-13 from CAG office and section and department wise by Ministry of health and decision was taken by this.**

02. Not getting the requested information in due time, the complainant filed appeal to the Dr. Mamun Parvez, Director (Health) & Appellate Authority(RTI), Director (Health) Office, Khulna Division, Khulna on 10.11.2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 11.12.2014.

03. Agenda was discussed in the meeting of Commission dated-31.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26.01.2015.

04. On the hearing date complainant Mr. Ahmed Syed Bulbul absent after filed time petition. Opposite party Dr. Atikur Rahman Khan, Civil Surgeon (Former), Civil Surgeon Office, Jessore is present. Civil Surgeon (Former) mentioned in his statement that, he is now in PRL. Since issued summons to his name he is present in hearing. The Complainant filed application for information when he was in charge. He also mentioned that, he did not provide information for lack of knowledge about Right to Information Act and considering problem would be raised after giving the audit information.

05. Whether explanation of Audit Observation has been given in a question of the commission he mentioned that explanation has been sent. He ensured to provide the report of explanation to the complainant when the commission observed.

Discussion

After hearing and reviewing the submitted evidences of the opposite party it was found that information are not served for lack of knowledge about Right to Information and may be problem raised after giving this audit information. Since he ensured to provide the report of explanation to the complainant when the commission observed, so, the complainant seems to be disposable.

Decision

1. The Civil Surgeon & Designated Officer (RTI), Civil Surgeon Office, Jessore is directed to serve the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 04.02.2015.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammad Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-165/2014

Complainant: Mr. Sadek Ullah Siddiki
Father- Dr.Nurul Amin
Ward no.-7
Moheshkhali Poursoba
Cox's Bazar.

Opposite Party: Mr. Asish Chiran
Upazila Education officer
&
Designated Officer(RTI)
Primary Education Office
Moheshkhali, Cox's Bazar.

Decision Paper

(Date-26-01-2015)

Complainant Mr. Sadek Ullah Siddiki filed application on 12.10.2014 to Mr. Asish Chiran, Upazila Education officer & Designated Officer (RTI) Primary Education Office Moheshkhali, Cox's Bazar seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **List of stipend holder students of Ananda school under ROSC project (Approved budget sheet of Project Director)**

02. Not getting the requested information in due time, the complainant filed appeal to the Mr. Abu Zafar Mohammad Salek, District Primary Education Officer & Appellate Authority (RTI), District Primary Education Office, Cox's Bazar on 10.11.2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 15.12.2014.

03. Agenda was discussed in the meeting of Commission dated-31.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26.01.2015.

04. On the hearing date complainant Mr. Sadek ullah Siddiki is present. Opposite party Mr. Asish Chiran Upazila Education officer & Designated Officer (RTI) Primary Education Office, Moheshkhali, Cox's Bazar is present. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Opposite party Upazila Education officer & Designated Officer (RTI) Primary Education Office, Moheshkhali, Cox's Bazar mentioned in his statement that, at the time of application for information he newly joined in Moheshkhali. He could not provide the information as he had no idea about Ananda school

or ROSC project. Later on he came to know from Head Assistant and Assistant Upazila Education Officer of his office that all activities of Anand school were conducted by Training Co-ordinator and financial activities by Sonali Bank. TC performed his duty under direct supervision of the Project Director. He sent letter to TC to supply the information. TC informed him orally that he had not the list of stipend holders of Anand school. But he had the list of undistributed list. In the distributed list only signature of the guardians are kept and it is preserved in the Sonali Bank. Later on the complainant has been told to apply for information to the Sonali Bank.

06. One copy of the list should be kept in TC's office, when asked by the commission to collect from the TC and to provide the complainant the Designated Officer (RTI) agreed to it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the Designated Officer (RTI) could not provide the information as he did not have the information. As he assured to collect the information from Third Party (TC) and provide it to the complainant so, the case seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. Upazila Education officer & Designated Officer (RTI) Primary Education Office, Moheshkhali, Cox's Bazar is directed to serve the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information.
2. Designated Officer(RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammad Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-166/2014

Complainant: Mr. Sadek Ullah Siddiki
Father- Dr. Nurul Amin
Ward no.-7
Moheshkhali Poursoba
Cox's Bazar.

Opposite Party: Mr. Md. Nurul Amin Katebi
Manager
&
Designated Officer(RTI)
Sonali Bank
Moheshkhali, Cox's Bazar.

Decision Paper

(Date-26-01-2015)

Complainant Mr. Sadek Ullah Siddiki filed application on 12.10.2014 to Mr. Md. Nurul Amin Katebi Manager & Designated Officer (RTI), Sonali Bank, Moheshkhali, Cox's Bazar seeking for the following information under section 8(1) of Right to Information Act, 2009:-

- **List of stipend holder students of Ananda school under ROSC project (Approved budget sheet of Project Director)**

02. Not getting the requested information in due time, the complainant filed appeal to the Mr. Helal Uddin, Assistant General manager & Appellate Authority (RTI), Sonali Bank, Regional Office, Cox's Bazar on last 09.11.2014 by registered post. After filing the appeal, being found no remedy; he filed complaints to the Information Commission on last 15.12.2014.

03. Agenda was discussed in the meeting of Commission dated-31.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26.01.2015.

04. On the date of hearing complainant Mr. Sadek Ullah Siddiki is present. Opposite party Mr. Md. Nurul Amin Katebi Manager & Designated Officer (RTI), Sonali Bank, Moheshkhali, Cox's Bazar is present. Complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) delivered no information, he filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, he filed complaint to the Information Commission.

05. Opposite party Mr. Md. Nurul Amin Katebi Manager & Designated Officer (RTI), Sonali Bank, Moheshkhali, Cox's Bazar mentioned in his statement that, at the time of application for information he was

sick, now also he has come in the tribunal of commission with sickness. The Budget sheet sought for by the complainant is not served because now it is kept as voucher.

06. One photocopy of the distributed list of stipend holder students should be provided to the complainant, when the commission mentioned the Designated Officer (RTI) agreed to it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that, information was not provided because of sickness of Designated Officer (RTI) and budget sheet is stored as voucher. Since the Designated Officer (RTI) ensured to provide information as written to the complainant as per instruction of Commission, the complaint seems to be disposable.

Decision

1. The Manager & Designated Officer (RTI), Sonali Bank, Moheshkhali, Cox's Bazar is directed to serve the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-167/2014

Complainant: Mr. Abu Bakkar Siddik
Father- Md. Azizur Rahman
69/19, Block-A
Bank Colony
Savar, Dhaka.

Opposite Party: Dr. A.M. Sahriar Toufik
Dairy Economist
&
Designated Officer(RTI)
Central Dairy Reproduction & Dairy
farm, Savar, Dhaka

Decision Paper

(Date-26-01-2015)

Complainant Mr. Abu Bakkar Siddik submitted application on 30-09-2014 to Dr. A.M. Sahriar Toufik, Dairy Economist & Designated Officer (RTI) Central Dairy Reproduction & Dairy Farm, Savar, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009-

- (a) In which year pasteurized machine was purchased for Central Dairy Reproduction & Dairy farm, Savar? Details description of view of purchase and activity of this machine.**
- (b) In which paper and date tender notice was invited for the purchase of the machine, photocopy of tender notice with date.**
- (c) One list with name, address and mobile/ phone no. for the Supplier Company was supply this machine.**
- (d) Duration, quality and performance security of the supplier in details.**
- (e) How many time the machine became disordered, list of disorder with date. Name and mobile number of the institution repaired the machine.**
- (f) How much money has been spent for repairing the machine till date? Photocopy of the bill and voucher.**

02. The Designated Officer (RTI) provided the information to the complainant on 20-10-2014 vide memo no-1363. The complainant filed appeal to the Director General and Appellate Authority (RTI), Department of Livestock, Khamarbari, Dhaka by registered post on 28.10.2014 terming the provided information as partial and misleading. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 23-12-2014.

03. Agenda was discussed in the meeting of Commission dated-31.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26.01.2015.

04. On the hearing date complainant Mr. Abu Bakkar Siddiki is present. Opposite party Dr. A.M. Sahriar Toufik, Dairy Economist & Designated Officer (RTI), Central Dairy Reproduction & Dairy Farm, Savar, Dhaka is present. The complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI) delivered incomplete information, he filed appeal to the Appellate Authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission. The complainant also mentioned that he received information serial no a to d and he was satisfied with this information but he was dissatisfied with information under serial no. e and f.

05. Opposite party to Dr. A.M. Sahriar Toufik, Dairy Economist & Designated Officer (RTI) Central Dairy Reproduction & Dairy Farm, Savar, Dhaka mentioned in his statement that information of serial no. a to d was served to the complainant but serial no. e and f was not served because he had no information about this.

06. In a question about from which year information for serial no. e and f he sought for, complainant answered that he wanted information from 2010.

07. As the commission ordered to collect the information from related office and provide it to the complainant except the mobile number and bill voucher, the Designated Officer (RTI) agreed to it.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that complainant received information except serial no. E and f. Since the Designated Officer ensured to serve information by collecting from respective section to the complainant as per instruction of Commission, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

1. The Dairy Economist & Designated Officer (RTI), Central Dairy Reproduction & Dairy Farm, Savar, Dhaka is directed to serve the information sought for by the complainant in serial of the decision paper-06 & 07 as per the provision of Right to Information Act,2009 subject to pay the cost of information on or before 09.02.2015.
2. Designated Officer (RTI) is directed to deposit money collected as cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.

3. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-168/2014

Complainant:	Mr. Abu Bakkar Siddik	Opposite Party:	Md. Md. Salimullah
	Father- Md. Azizur Rahman		Senior Upazila Fisheries Officer
	69/19, Block-A, Farhana Manjil		&
	Bank Colony		Designated Officer (RTI)
	Savar, Dhaka.		Office of the Upazila Fisheries
			Officer
			Savar, Dhaka.

Decision Paper

(Date-26-01-2015)

Complainant Mr. Abu Bakkar Siddik filed application on 01.09.2014 to Designated Officer (RTI), Office of the Upazila Fisheries Officer, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009-

- (a) How much public/government ponds are there in Savar Upazila? Land area of each pond & location list.**
- (b) Rules & terms and conditions for lease out of government/public ponds.**
- (c) Date of lease of each pond & list comprising duration.**
- (d) Name of lessee of all ponds, list comprising mobile numbers.**

02. Not getting the requested information in due time, the complainant filed appeal to the Director General & Appellate Authority (RTI), Directorate of Fisheries, Motsya Bhaban, Ramna, Dhaka on 28-10-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 23-12-2014.

03. Agenda was discussed in the meeting of Commission dated-31.12.2014. Pursuant to the decision of meeting summons were issued to concerned parties fixing the date of hearing on dated-26.01.2015.

04. On the date of hearing complainant Mr. Abu Bakkar Siddiki is present. Opposite party Mr. Md. Salimullah, Senior Upazila Fisheries Officer & Designated Officer (RTI), Office of the Savar Upazila Fisheries Officer, Savar, Dhaka is present. The complainant mentioned in his statement that he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for the information mentioned in article-01. Since the Designated Officer (RTI) did not deliver any information, he filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

05. Opposite party Senior Upazila Fisheries Officer & Designated Officer (RTI), Office of the Savar Upazila Fisheries Officer, Savar, Dhaka mentioned in his statement that the information prayed for was not available to his office, collecting information from land office provided to the complainant. Wet land with area more than 20 acres are being leased out from the office of Deputy Commissioner & wet land with area less than 20 acres are being leased from office of the Assistant Commissioner (Land) and directed the complainant to collect information from concerned office by issued letter.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the information prayed by the complainant is not available in the office of Designated Officer (RTI). Since the Designated Officer (RTI) ensured to serve notice mentioning that the information sought for is not available in his office, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:
Since the information prayed by the complainant is not available in the office of Designated Officer (RTI), a notice to be served to the complainant explaining reasons for not providing information.

Let the copy be sent to the parties concerned.

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No.-169/2014

Complainant: Mr. Arup Roy
Father-Utpol Roy
Prothom Alo, Savar Office
51/A Savar Bazar Road
Upozila-Savar
District-Dhaka.

Opposite Party: Mr. Md. Firoz Talukder
Officer-in-Charge (O/C)
&
Designated Officer (RTI)
Dhamrai Police Station
Dhamrai, Dhaka.

Decision Paper

(Date-17-02-2015)

Complainant Mr. Arup Roy filed application by registered post on 30.06.2014 to the Designated Officer (RTI), Dhamrai Police Station, Dhaka seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **In the year 2014 total candidates appointed as Police Constable from Dhamrai Upazila/Thana quota under District-Dhaka & total numbers of candidates mentioning village & union, name, fathers' & mothers' name including permanent & present address those were issued verification certificate from Dhamrai Police Station.**

02. Not getting the requested information in due time, the complainant filed appeal to the Mr. Md. Habibur Rahman, Police Super & Appellate Authority (RTI), Office of the Police Super, Dhaka on 10-09-2014 by registered post. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 11-11-2014.

03. Agenda was discussed in the meeting of Commission on 31.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26.01.2015.

04. On the hearing date complainant Mr. Arup Roy is present. Opposite party Officer-in-Charge (O/C) & Designated Officer (RTI), Dhamrai Police Station, Dhamrai, Dhaka is absent filing time petition. The commission approved time petition & fixed the date of hearing on 26-01-2015 and issued summonses to the complainant & Designated Officer (RTI).

05. On the date of hearing, complainant Mr. Arup Roy is present. Opposite party Mr. Md. Firoz Talukder, Officer-in-Charge (O/C) & Designated Officer (RTI), Dhamrai Police Station, Dhamrai, Dhaka is present. The complainant mentioned in his statement that, he filed application to the Designated Officer (RTI) under Right to Information Act, 2009 seeking for information mentioned in article-01. Since the Designated Officer (RTI)

did not deliver any information, he filed appeal to the Appellate authority (RTI). Being found no remedy on appeal, he filed complaint to Information Commission.

06. The Officer-in-Charge (O/C) & Designated Officer (RTI), Dhamrai Police Station, Dhamrai, Dhaka mentioned in his statement that, he joined in the month July. He received no application for information. On receipt of summon issued by the commission he came to know in this regard. Appointment of Police Constable is done from office of the Police Super. As list from Police Super they only fill verification form of applicants. Since the Police Super is authority of appointment, information in this regard also preserved in the office of Police Super. He ensured the commission to collect information sought for by the complainant & provide to the complainant.

Discussion

After hearing and reviewing the submitted evidences of both the complainant and opposite party it was found that the information sought for by the complainant preserved in the office of Police Super. Since the Designated Officer (RTI) ensured to collect information from office of the Police Commissioner & provide to the complainant, the complaint seems to be disposable.

Decision

After discussion in details the complaint is disposed of with following instructions:

01. The Officer-in-Charge (O/C) & Designated Officer (RTI), Dhamrai Police Station, Dhamrai, Dhaka is directed to serve the information sought for by the complainant under Right to Information Act, 2009 subject to pay the cost of information on or before 03-03-2015.
02. Police Super, Dhaka is directed to assist Designated Officer (RTI) to serve information required.
03. Designated Officer (RTI) is directed to deposit money collected cost of information delivered under section-9 of Right to Information Act, 2009 and under section-8 of Right to Information (regarding obtain information) Rules, 2009 to government treasury in financial code no-1-3301-0001-1807.
04. Both parties are instructed to inform the Information Commission after implementation of direction.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner

Information Commission

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

Complaint No-170/2014

Complainant: Mr. Md. Abdul Haque
Father-Hazi Md. Abdul Hakim
Harua East Fishery Road
Kishoreganj.

Opposite Party: Mr. Md. Amzad Hossain
Assistant Engineer
&
Designated Officer (RTI)
Office of the Executive
Engineer
Bangladesh Rural
Electrification Board
Sheker Bari, Upazila Road
Gaital, Kishoreganj.

Decision Paper

(Date-17-02-2015)

Complainant Mr. Md. Abdul Haque filed application by registered post on 29-09-2014 to the Designated Officer (RTI), Office of the Executive Engineer, Bangladesh Rural Electrification Board, Shekher Bari, Upozila Road, Gaital, Kishoreganj seeking for the following information under section 8(1) of Right to Information Act, 2009-

- **At the time of setting pillar for Palli Bidyut Samity Electricity Line, whether any compensation paid for space of pillar to land area under ownership of individual or not? One if reject to set pillar to his own land or homestead land, can set by force or not? After preparation of map for electric line and approval, would be changed or not? To set electricity lines in Nanosree village of Nikli Police Station how many pillars & on which date approved. Photocopy of that order. Whether the second time approved pillars set or not? Bill paid to the contractor for setting of pillars or not? Received in which date & whether cable tagged on those pillars or not? If yes, the contractor received his bill or not? Received in which date? Whether connected lines or not? Whether set meters or not? Installer whether received bill or not?**

02. In respect to the application for information, Mr. Md. Nurul Islam, AGM (MS) (CC), Kishoreganj Palli Bidyut Samity Muksedpur, Kishoreganj vide memo No.-27.12.4849.534.03.030.14/2921 Dated-15.10.2014 provided information to the complainant. Being dissatisfied with the information served to him, the complainant filed appeal to the GM & Appellate Authority (RTI), Palli Bidyut Samity Muksedpur, Kishoreganj on 02-11-2014. After filing the appeal, being found no remedy; he filed complaint to the Information Commission on 31-12-2014.

03. Agenda was discussed in the meeting of Commission dated-31.12.2014. Pursuant to the decision of meeting summonses were issued to concerned parties fixing the date of hearing on 26.01.2015.

04. On the hearing date complainant Mr. Md. Abdul Haque is absent without showing any cause. Opposite party Mr. Md. Amzad Hossain, Assistant Engineer & Designated Officer (RTI), Office of the Executive Engineer, Bangladesh Rural Electrification Board, Shekher Bari, Upazila Road, Gaital, Kishoreganj is present. Since the complainant remain absent, commission fixed the date of hearing on 17-02-2015 and issued summonses to the complainant & Designated Officer (RTI).

05. On the hearing date complainant Mr. Md. Abdul Haque is absent without showing any cause. Opposite party Mr. Md. Amzad Hossain, Assistant Engineer & Designated Officer (RTI), Office of the Executive Engineer, Bangladesh Rural Electrification Board, Shekher Bari, Upazila Road, Gaital, Kishoreganj is present. The opposite party in his statement mentioned that the information sought for was provided to the complainant.

Discussion

After hearing and reviewing the submitted evidences of the opposite party it was found that the Designated Officer (RTI) served information to the complainant prayed for. The complainant since remained absent in 02(two) dates of hearing consecutively, hence, he is no more interested to receive information.

Decision

Since the complainant remained absent in 02(two) dates of hearing consecutively including this date, hence, he is no more interested to receive information. The complaint is disposed of with dismissal order.

Let the copy be served to the parties concerned.

Signed
(Prof. Dr. Khurshida Begum Sayeed)
Information Commissioner

Signed
(Nepal Chandra Sarkar)
Information Commissioner

Signed
(Mohammed Farooq)
Chief Information Commissioner