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WEST BENGAL INFORMATION COMMISSION:-

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

Former State Chief Information Commissioners, West Bengal

SL. No.	Name	Date of Joining	Date of demitting office
1	Shri Arun Kumar Bhattacharya	22 nd December, 2005	1 st December, 2010
2	Shri Sujit Kumar Sarkar	1 st December, 2010	6 th June, 2014
3	Shri K. John Koshy	18 th June, 2014	3 rd February, 2015
		3 rd February, 2015	addl charge 6 th November, 2015
4	Dr. G.D. Gautama	17 th November, 2015	26 th July, 2016
		27 th July, 2016	addl charge 4 th April, 2017
5	Shri Basudeb Banerjee	1 st July, 2017	6 th June, 2022

Former State Information Commissioner, West Bengal

SL. No.	Name	Date of Joining	Date of demitting office
1	Shri Sujit Kumar Sarkar	4 th December, 2009	30 th November, 2010
2	Shri K. John Koshy	1 st December, 2010	3 rd February, 2015
3	Dr. G.D. Gautama	5 th April, 2012	27 th July, 2016
4	Shri G. M. P. Reddy	27 th July, 2016	21 st May, 2021
5	Shri Virendra	17 th September, 2022	10 th April, 2023
6	Shri Raj Kanojia	19 th December, 2018	18 th December 2023

Present State Chief Information Commissioner, West Bengal

SL. No.	Name	Date of taking over charge
1	Shri Virendra	10 th April , 2023

Present State Information Commissioner, West Bengal

SL. No.	Name	Date of taking over charge
1	Shri Naveen Prakash	17 th September, 2022

Powers and Functions of the State Information Commission

The Powers and Functions of the State Information Commission in brief are as follows:

1. Under Sub Section 4 of the Section 16 of the RTI Act, 2005, the general superintendence, direction and management of the affairs of the State Information Commission shall vest in the State Chief Information Commissioner who shall be assisted by the State Information Commissioners and may exercise all such powers and do all such acts and things which may be exercised or done by the State Information Commission autonomously without being subjected to directions by any other authority under this Act.
2. The State Information Commission has been empowered under Section 18 of the Act to receive and enquire into a complaint from any person,
 - Who has been unable to submit a request to an SPIO either by reason that no such officer has been appointed under this Act, or because the SPIO has refused to accept his / her application for information or appeal under this Act for forwarding the same to the SPIO or a Senior Officer as specified in Sub-Section (1) of Section 19 or the State Information Commission, as the case may be;
 - Who has been refused access to any information requested under this Act;
 - Who has not been given a response to a request for information or access to information by the SPIO within 30 days of the receipt of the request, as laid down u/s 7(1) of the Act.
 - Who has been required to pay an amount of fee which he / she considers unreasonable;
 - Who believes that he / she has been given incomplete, misleading or false information under this Act; and
 - In respect of any other matter relating to requesting or obtaining access to records under the Act.
3. The State Information Commission may initiate an enquiry in respect of a complaint on being satisfied that there are reasonable grounds to enquire into the matter under Section 18(2) of the Act.
4. While inquiring into any matter, the Commission shall have the same powers as one vested in a Civil Court while trying a suit under the Code of Civil Procedure, 1908, in respect of the following matters;
 - Summoning and enforcing the attendance of persona and compel them to give oral or written evidence on oath and to produce the documents
 - Requiring the discovery and inspection of documents,
 - Receiving evidence on affidavit
 - Requisitioning any public record or copies thereof from any court of office.
 - Issuing summons for examinations of witnesses or documents; and
 - Any other matter which may be prescribed

5. The Commission is empowered u/s 19(3) of the Act to admit a 2nd appeal from persons against the decision of the 1st Appellate Authority under this Act.

The 2nd appeal shall lie within 90 days from the date on which the decision should have been made or was actually made by the 1st Appellate Authority.

However, the State Information Commission may admit the 2nd Appeal after the expiry of the period of 90 days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

If an appeal is preferred before the Commission relating to information of a third party, the Commission shall give a reasonable opportunity of being heard to the third party.

In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the SPIO who denied the information.

The decision of the Commission shall be binding.

1. The State Information Commission has the power to impose penalty on the State Public Information Officer for the following defaults:
 - refusal to received an application for information without reasonable cause or
 - not furnishing information within the specified time limit; or
 - malafidely denied the request for information or knowingly give incorrect, or incomplete information, or
 - knowingly furnished misleading information or destroyed information which was the subject of the request, or
 - obstructed in any manner furnishing of the information.
2. The RTI Act empowers the State Information Commission to require the Public Authority to compensate the complainant for any loss or other detriment suffered.
3. The State Commission can recommend for disciplinary action against the State Public Information Officer where the State Information Commission, at the time of deciding any compliant or appeal, is of the opinion that the State Public Information Officer has, without any reasonable cause and persistently, failed to receive an application for information or has not furnished information within the time specified under Sub Section (1) of Section (7) or malafidely denied the request for information or knowingly given incorrect, incomplete or misleading information or destroyed information which was the subject of the request or obstructed in an manner in furnishing the information under Section 20(2) of the Act.
4. In its decision, the Central Information Commission or State Information Commission, as the case may be , has the power to –
 - require the public authority to take any such steps as may be necessary to secure compliance with the provisions of this Act, including–
 - by providing access to information, if so requested, in a particular form;
 - by appointing a Central Public Information Officer or State Public Information Officer, as the case may be;
 - by publishing certain information or categories of information;
 - by making necessary changes to its practices in relation to the maintenance, management and destruction of records;

- by enhancing the provision of training on the right to information for its officials;
 - by providing it with an annual report in compliance with clause (b) of sub-section (1) of section 4.
5. Under the provisions of Section 25 of the RTI Act, 2005, the State Information Commission, after the end of each year, is required to prepare a report on the implementation of the provisions of the Act during that year and forward a copy thereof to the Government for laying before the State Legislature.

Nodal Government Department:-

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

Jurisdiction:

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

Mission:

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

Vision:

Transparent functioning of public authorities for achieving the goals envisaged in the Constitution of India for every Indian citizen.

Objectives:

Fulfilling the mandate assigned in the RTI Act, 2005.

Details of Services provided / Duties:

As per RTI Act, 2005 the Commission has been assigned the task of receiving complaints and 2nd appeals, for providing suitable relief to the complainants and appellants as per the provisions of the RTI Act, 2005.

Physical Assets:

Office space is provided by the State Government.

Suo Moto Disclosure of Information u/s 4(1) (b) of the RTI Act, 2005

The Right to Information Act has envisaged that all the Public Authorities shall make a constant endeavour to take steps in accordance with the requirements of this Act to publish

all relevant information for the knowledge of citizens at large and update the same at regular intervals.

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

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

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

Particulars of the organization, functions and duties of the Commission

[U/s 4(1)(b)(i) of the RTI Act, 2005]

Name of the Public Authority – West Bengal Information Commission

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

Website: www.wbic.wb.gov.in

E-mail: scic-wb@nic.in

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

The Information Commissioners:–

The West Bengal Information Commission consists of the following members:

1. **State Chief Information Commissioner:**

Shri Virendra

From 10.04.2023 (The Present)

1. **State Information Commissioner:**

Shri Naveen Prakash

From 17.09.2022 (The Present)

Functions: West Bengal Information Commission has been constituted under sub-section (1) and sub-section (7) of section 15 of the Right to Information (RTI) Act, 2005 vide Gazette Notification No.747-PAR(AR) dated 12.12.2005 and published in the Gazette on 03.01.2006.

The Commission's mandate is to exercise the powers conferred on, and to perform the functions assigned to it under the Act.

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

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

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

SI No.	Designation of the Officers/Employees	No. of posts sanctioned	No. posts filled	Remarks
1	Secretary & Registrar	1	1	
2	Deputy Secretary & Additional Registrar	1	1	
3	Law Officer & Joint Registrar	1	1	
4	Finance Officer	1	1	
5	P.S. / P. A.	1	1	The service of one Sr.PS from Common Pool of Finance Department and one PA from common pool under PAR department have been placed in this commission. Additionally, one OSD & EO Sr PS has been appointed on re-employment, attached to Hon'ble SCIC
7	Section Officer	1	2	
8	Accountant	1	Vacant	
9	Head Assistant	1	1	
10	Judicial Peshkar	1	1	
11	U.D. Assistant	7	6	
12	L.D. Assistant	2	2	
13	Cashier	1	Vacant	
14	System Administrator	1	1(Contractual)	One System Administrator has been engaged with the approval

				of PAR and Finance Department on contract basis.
15	System Supervisor	1	Contractual	
16	Technically Skilled Manpower	1	1	Post filled with approval of P & AR and Finance Department.
17	Data Entry Operator	2	1(Contractual)	One Data entry operator has been engaged on contractual basis with the approval of PAR and Finance Department.
18	Typist	2	2(Casual)	Two typists have been engaged on contract basis with the approval of PAR and Finance Department
19	Record Supplier	1	Vacant	
20	Peon	2	1	Additionally One Gr. D staff has been engaged on casual basis.

- **NOTE I:** One Karmabandhu (Sweeper) has been engaged on a consolidated remuneration.
- **NOTE II:** PAR department has in addition to above, placed two contractual LDCs and 3 DEOs through outsourcing.

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

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

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

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

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

Details of Services provided / Duties:–As per the RTI Act, 2005 the Commission has been assigned the task of receiving complaints and 2nd appeals, for providing suitable relief to the complainants and appellants as per the provisions of the RTI Act, 2005.

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

Powers and duties of Officers and employees

[U/s 4(1)(b)(ii) of the RTI Act, 2005]

Sl. No.	Designation	Powers and Duties
1.	State Chief Information Commissioner	General superintendence, direction and management of affairs of the Commission which receives appeals and complaints under the RTI Act, hearing of complaints / appeals as per provisions of RTI Act.
2.	State Information Commissioner	General superintendence, direction and management of affairs of the Commission which receives appeals and complaints under the RTI Act, hearing of complaints / appeals as per provisions of RTI Act.
3.	Secretary & Registrar	Overall supervision of all administrative work, maintaining liaison with State Government and Government of India on behalf of the Commission, Registrar to the Commission.
4.	Deputy Secretary & Additional Registrar	Administrative work under supervision of the Secretary of the Commission.
5.	Finance Officer	Drawing and Disbursing Officer.
6	Law Officer	Supervising and monitoring of all court cases and legal matters, maintaining liaison with the advocates of the Commission and preparation of Statement of Facts and briefs, supervising and monitoring of data management system, usual works as and when directed and discharging duties of the First Appellate Authority of the Commission.
7.	Section Officer	To Supervise staff and establishment related matters and State Public Information Officer.
8.	P.S. / P.A.	i) Usual works as and when directed by the State Chief Information Commissioner/ State Information Commissioner. ii) Taking dictation as and when necessary.
9.	Accountant	Usual work as Accountant.
10.	Head Assistant	Dealing with RTI files and establishment related matters.
13.	Judicial Peshkar	Dealing RTI files.
14.	U.D. Assistant	Dealing RTI files and other work of establishment as assigned by the Commission.
15.	L.D. Assistant	Reference work – Receiving of letters / Diaries / Name Index / Opening new files / Dispatch of letters.
16.	System Administrator	Overall in-charge of computer management, Website and System management and maintenance.
17.	Technically Skilled Manpower	LAN Troubleshooting, Data-base management and maintenance under the control of System Administrator.
18.	Data Entry Operator	Data-base Entry & Typing.

19.	Casual Typist	Typing Works
20.	Peon	Usual Works of a Gr. D employee.

Procedure followed in deciding 2nd Appeals and Complaints

[U/s 4(1)(b)(iii) of the RTI Act, 2005]

The Commission receives **Complaints under Section 18 of the RTI Act** and **2nd Appeals under Section 19 of the RTI Act**. These Complaints and 2nd Appeals are disposed as per provisions of the Act as well as the West Bengal Right to Information Rules, 2006.

The process followed for processing the cases is indicated below:

Sl. No.	Details of Activity in the Commission	Decision making Process	Authority Responsible for the Activity
1	Complaints under Section 18	Stage 1: Action taken report of SPIO and Appellate Authority sought if necessary. Stage 2: Further Inquiry or Hearing as per the directions of SCIC/SIC Stage 3: Final Order	Secretary & Registrar / Law Officer & Joint Registrar.
2.	2 nd Appeals under Section 19	Stage 1: Action taken report of SPIO and Appellate Authority sought if necessary. Stage 2: Hearing as per the directions of SCIC/SIC Stage 3: Final Order	Secretary & Registrar / Law Officer & Joint Registrar.
3.	Annual Report	Annual Report is prepared based on information obtained from all Departments as well as Commission's own work. The Report as approved by the Commission is sent to Government for placing in the Assembly	Secretary and Registrar under directions of the Commission.
4.	General Administration of the Commission	As per general direction of the State Chief Information Commissioner and existing rules, orders and notifications of the Government.	Secretary of the Commission under general supervision of SCIC .
5.	Video Conference (VC)	Hearings of 2 nd Appeals & Complaints are arranged through VC for Applicants of remote districts in normal time. During Pandemic Period Commission is organizing all hearings through VC. Also review meetings of the Commission are periodically held virtually through	Technical Team of the Commission under general supervision of the Secretary.

		VC or Google Meet.	
6.	Court Cases	Decision/ Standard practice of the Commission in respect of matters coming up before the Hon'ble High Court as Writ Petitions are placed before Hon'ble Court through appointment of Advocate.	Law Officer of the Commission under supervision of the Secretary

Norms set for discharging of duties & functions in WBIC

[U/s 4(1)(b)(iv) of the RTI Act, 2005]

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

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

It has been decided by the Commission under the chairmanship of State Chief Information Commissioner, West Bengal that Commission will take up old and new appeals and complaints on 50 : 50 basis and preferably following chronological order as far as practicable except the following which will be heard on priority :

- Cases ordered to be taken up on priority by the Hon'ble High Court.
- Cases involving question of life and liberty.
- Cases involving inspection and obtaining copy of answer scripts.
- Cases involving recruitment matters / educational matters
- Cases of Senior Citizens / matters relating to pensionary benefits
- Any other issue as may be considered urgent in nature.

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

[U/s 4(1)(b)(v) of the RTI Act, 2005]

1. The Right to Information Act, 2005
2. The Right to Information (Amendment) Act, 2019
3. West Bengal Right to Information Rules, 2006 and its subsequent amendments
4. Reports/Orders of the Central Information Commission and other State Information Commissions / Department of Personnel & Training, Govt. of India / P & AR Department, Govt. of West Bengal.
5. Directions/Orders of Hon'ble High Court and Hon'ble Supreme Court.
6. Indian Evidence Act
7. The Constitution of India
8. Civil Procedure Code
9. Oaths Act

10. Black's Law Dictionary

Categories of documents held by WBIC**[U/s 4(1)(b)(vi) of the RTI Act, 2005]**

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

Arrangement for consultation with, or representation by, the members of the public in relation to the formulation of its policy or implementation thereof {U/s 4(1)(b)(vii) of the RTI Act, 2005}

There is no prescribed mechanism for consultation under the RTI Act. The Commission functions under various provisions of the Act and Rules made thereunder. Consultations and meetings are held from time to time with public authorities and other concerned organizations as required. Administrative Training Institute, West Bengal organizes regular workshops with the Public Authorities for this purpose.

Boards, councils, committees and other bodies constituted**[U/s 4(1)(b)(viii) of the RTI Act, 2005]**

None

Directory of the Officers and Employees of WBIC**[U/s 4(1)(b)(ix) of the RTI Act, 2005]**

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

Sl.No	Name & Designation	Telephone Number	E-mail ID
1	Shri Virendra, State Chief Information Commissioner, West Bengal	(033) 2252- 0486/ (033) 2252-0509	scic-wb@nic.in
2	Shri Naveen Prakash, State Information Commissioner, West Bengal	(033) 2252- 0487/ (033) 2252-0509	scic-wb@nic.in
3	Office of WBIC	(033) 2252- 0509, (033)2252- 0501(EPABEX)	scic-wb@nic.in

Details of remuneration of officers and employees

[U/s 4(1)(b)(x) of the RTI Act, 2005]

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

Sl. No.	Designation of the posts	Pay scale of the post
1.	Secretary & Registrar	7 th CPC level 13 Revised
2.	Deputy Secretary & Additional Registrar(Presently vacant)	Pay Matrix level 19 under ROPA' 19
3.	Finance Officer	Pay Matrix level 16 under ROPA' 19
4.	Law Officer & Joint Registrar	Pay Matrix level 16 under ROPA' 19
5.	Section Officer	Pay Matrix level 12B under ROPA' 19
6.	Accountant	Pay Matrix level 12B under ROPA' 19
7.	Head Assistant	Pay Matrix level Revised 10C under ROPA' 19
8.	Judicial Peshkar	Pay Matrix level 9 under ROPA' 19
9.	U.D. Assistant	Pay Matrix level 9 under ROPA' 19
10.	P.S. to SCIC	Does not draw salary from WBIC
11.	P.A.	Pay Matrix level 15 under ROPA' 19
12.	L.D. Assistant	Pay Matrix level 6 under ROPA' 19
13.	Cashier (Presently vacant)	Pay Matrix level 6 under ROPA' 19
14.	System Administrator	Consolidated remuneration guided by Orders of Finance Department.

15.	Technically Skilled Manpower	Consolidated remuneration guided by Orders of Finance Department.
16.	Data Entry Operator	Consolidated remuneration guided by Orders of Finance Department.
17.	Lower Division Clerk	Engaged through Webel.
18.	Typist (Casual)	Consolidated remuneration guided by Orders of Finance Department.
19.	Record Supplier(Presently vacant)	Does not draw salary from WBIC
20.	Gr. D	Pay Matrix level 1 under ROPA' 19
21.	Gr. D (Casual)	Consolidated remuneration guided by Orders of Finance Department.

Orders regarding pay and other benefits of SCIC & SICs

**MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS
(Department of Personnel and Training)**

NOTIFICATION

New Delhi, the 24th October, 2019

G.S.R. 810(E).—In exercise of the powers conferred by clauses (ca) and (cb) of sub-section (2) of section 27 of Right to Information Act, 2005 (22 of 2005), the Central Government hereby makes the following rules, namely:—

**CHAPTER I
PRELIMINARY**

1. Short title and commencement.—(1) These rules may be called The Right to Information (Term of Office, Salaries, Allowances and Other Terms and Conditions of Service of Chief Information Commissioner, Information Commissioners in the Central Information Commission, State Chief Information Commissioner and State Information Commissioners in the State Information Commission) Rules, 2019.

(2) They shall come into force on the date of their publication in the Official Gazette.

CHAPTER II

2. Definitions.—(1) In these rules, unless the context otherwise requires, -

(a) “Act” means the Right to Information Act, 2005 (22 of 2005);

(b) “Central Information Commission” shall have the same meaning assigned to it under clause (b) of section 2 of the Act ;

(c) “Chief Information Commissioner” and “Information Commissioner” shall have the same meaning assigned to it under clause (d) of section 2 of the Act;

(d) “State Chief Information Commissioner” and “State Information Commissioner” shall have the same.

meaning assigned to it under clause (l) of section 2 of the Act;

(e) “State Information Commission” shall have the same meaning assigned to it under clause (k) of section 2 of the Act.

(2) The words and expressions used and not defined under these rules, but defined in the Act shall have the same meaning as respectively assigned to them in the Act.

CHAPTER III

TERM OF OFFICE, SALARIES, ALLOWANCES AND OTHER TERMS AND CONDITIONS OF SERVICE OF THE CHIEF INFORMATION COMMISSIONER AND INFORMATION COMMISSIONER IN THE CENTRAL INFORMATION COMMISSION

3. Term of office.—The Chief Information Commissioner, or Information Commissioners, as the case may be, shall hold office for a period of three years from the date on which he enters upon his office.

4. Retirement from parent service on appointment.—The Chief Information Commissioner or Information Commissioners, as the case may be, who on the date of his appointment to the Commission, was in the service of the Central or a State Government, shall be deemed to have retired from such service

with effect from the date of his appointment as Chief Information Commissioner or an Information Commissioner in the Central Information Commission.

5. Pay.—(1) The Chief Information Commissioner shall receive a pay of Rs. 2,50,000 (Rupees two lakh and fifty thousand)(fixed) per mensem.

(2) An Information Commissioner shall receive a pay of Rs. 2,25,000 (Rupees two lakh and twenty five thousand) (fixed) per mensem.

(3) In case the Chief Information Commissioner or Information Commissioners, as the case may be, at the time of his appointment is, in receipt of any pension, the pay of such Chief Information Commissioner or Information Commissioners, as the case may be, shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity;

(4) In case the Chief Information Commissioner or Information Commissioners, as the case may be, at the time of his appointment, is in receipt of retirement benefits in respect of any previous service rendered in Corporation established by or under any Central Act or State Act or a Government company owned or controlled by the Central Government or the State Government, his pay in respect of the service as the Chief Information Commissioner or Information Commissioners, as the case may be, shall be reduced by the amount of pension equivalent to the retirement benefits.

6. Dearness Allowance.—The Chief Information Commissioner or Information Commissioners, as the case may be, shall be entitled to draw dearness allowance at the rate admissible to an officer holding a post carrying the same pay in the Central Government, as revised from time to time.

7. Leave.—(1) The Chief Information Commissioner or Information Commissioners, as the case may be, shall be entitled to rights of leave as per admissibility to an officer holding a post carrying the same pay in the Central Government, as revised from time to time.

(2) In case the Chief Information Commissioner, the competent authority to sanction the leave shall be the President of India and in case of the Information Commissioners, the Chief Information Commissioner shall be the competent authority.

8. Cash Payment in lieu of unutilised Earned Leave.—The Chief Information Commissioner or Information Commissioners, as the case may be, shall be entitled to encashment of fifty per cent. of earned leave to his credit at the time of completion of tenure:

Provided that for a Chief Information Commissioner or an Information Commissioner, as the case may be, who had retired from the service of the Central or a State Government prior to appointment as a Chief Information Commissioner and Information Commissioner, as the case may be, the aggregate period for which the encashment of unutilised earned leave shall be entitled shall be subject to a maximum period as per admissibility to an officer holding a post carrying the same pay in the Central Government or the State Government, as the case may be, as revised from time to time.

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9. Medical Facilities.—The Chief Information Commissioner and Information Commissioners, as the case may be, shall be entitled to medical treatment and Hospital facilities as provided in the Central Government Health Scheme and at places where the Central Government Health Scheme is not in operation, the Chief Information Commissioner and Information Commissioner shall be entitled to medical facilities as provided in the Central Service (Medical Attendance) Rules, 1944.

10. Accommodation.—(1) The Chief Information Commissioner or Information Commissioners, as the case may be, shall be eligible subject to availability, to the use of official residence from the general pool accommodation of the type as admissible to an officer holding a post carrying the same pay in the Central Government on the payment of the license fee at the rates prescribed by Central Government from time to time.

(2) Where Chief Information Commissioner or an Information Commissioner is not provided with or does not avail himself of the general pool accommodation referred to in sub-rule (1), he may be paid House Rent Allowance at the rate admissible to an officer holding a post carrying the same pay in the Central Government.

11. Leave Travel Concession, Travelling Allowance, Daily Allowance.—The Chief Information Commissioner or Information Commissioners, as the case may be, shall be entitled to leave travel concession, travelling allowance and daily allowance as admissible to an officer holding a post carrying the same pay in the Central Government as far as may be, apply to the Chief Information Commissioner and Information Commissioner, as the case may be.

TERM OF OFFICE, SALARIES, ALLOWANCES AND OTHER TERMS AND CONDITIONS OF SERVICE OF THE STATE CHIEF INFORMATION COMMISSIONER AND STATE INFORMATION COMMISSIONERS IN THE STATE INFORMATION COMMISSION

12. Term of office.—The State Chief Information Commissioner, or State Information Commissioners, as the case may be, shall hold office for a period of three years from the date on which he enters upon his office.

13. Retirement from parent service on appointment.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, who on the date of his appointment to the Commission, was in the service of the Central or a State Government, shall be deemed to have retired from such service with effect from the date of his appointment as State Chief Information Commissioner and State Information Commissioner in the State Information Commission.

14. Pay.—(1) The State Chief Information Commissioner shall receive a pay of Rs. 2,25,000 (Rupees two lakh and twenty five thousand) (fixed) per mensem.

(2) The State Information Commissioners shall receive a pay of Rs. 2,25,000 (Rupees two lakh and twenty five thousand) (fixed) per mensem.

(3) In case the State Chief Information Commissioner and State Information Commissioners, as the case may be, at the time of his appointment is, in receipt of any pension, the pay of such State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity.

(4) In case the State Chief Information Commissioner and State Information Commissioners, as the case may be, at the time of his appointment, is in receipt of retirement benefits in respect of any previous service rendered in Corporation established by or under any Central Act or State Act or a Government company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the State Chief Information Commissioner and State Information Commissioners shall be reduced by the amount of pension equivalent to the retirement benefits.

15. Dearness Allowance.—The State Chief Information Commissioner and State Information Commissioners, as the case may be, shall be entitled to draw dearness allowance at the rate admissible to an officer holding a post carrying the same pay in the State Government, as revised from time to time.

16. Leave.—(1) The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to rights of leave as per admissibility to an officer holding a post carrying the same pay in the State Government, as revised from time to time.

(2) In case of the State Chief Information Commissioner, the competent authority to sanction the leave shall be the Governor of the State and in case of the State Information Commissioners, the State Chief Information Commissioner shall be the competent authority.

17. Cash Payment in lieu of unutilized Earned Leave.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to encashment of fifty per cent. Of earned leave to his credit at the time of completion of tenure:

Provided that a State Chief Information Commissioner or State Information Commissioners, as the case may be, who had retired from the service of the Central or a State Government prior to appointment as a State Chief Information Commissioner or State Information Commissioners respectively, the aggregate period for which the encashment of unutilised earned leave shall be entitled shall be subject to a maximum period as per admissibility to an officer holding a post carrying the same pay in the Central Government or the State

Government, as the case may be, as revised from time to time.

18. Medical Facilities.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to medical treatment and Hospital facilities as provided in the Central Government Health Scheme and at places where the Central Government Health Scheme is not in operation, the State Chief Information Commissioner and State Information Commissioners, as the case may be, shall be entitled to medical facilities as provided in the Central Service (Medical Attendance) Rules, 1944 or such medical facilities provided by the State Government to an officer holding a post carrying the same pay in the State Government, as revised from time to time.

19. Accommodation.—(1) The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be eligible subject to availability, to the use of official residence from the general pool accommodation of the type as admissible to an officer holding a post carrying the same pay in the State Government on the payment of the license fee at the rates prescribed by State Government from time to time. (2) Where State Chief Information Commissioner or State Information Commissioners, as the case may be, is not provided with or does not avail himself of the general pool

accommodation referred to in sub-rule (1), he may be paid House Rent Allowance at the rate admissible to an officer holding a post carrying the same pay in the State Government.

20. Leave Travel Concession, Travelling Allowance, Daily Allowance.—The State Chief Information Commissioner or State Information Commissioners, as the case may be, shall be entitled to leave travel concession, travelling allowance and daily allowance as admissible to an officer holding a post carrying the same pay in the State Government as far as may be, apply to the State Chief Information Commissioner or State Information Commissioners.

CHAPTER V

21. Residuary Provision.—The conditions of service of the Chief Information Commissioner or an Information Commissioner, State Chief Information Commissioner or State Information Commissioners for which no express provision has been made in these rules shall be referred in each case to the Central Government for its decisions and the decisions of the Central Government thereon shall be binding on the Chief Information Commissioner or an Information Commissioner of the Central Information Commission, State Chief Information Commissioner or State Information Commissioner of the State Information Commission.

22. Power to relax.—The Central Government shall have power to relax the provisions of any of these rules in respect of any class or category of persons.

23. Interpretation.—If any question arises relating to the interpretation of any of the provisions of these rules, it shall be referred to the Central Government for decision.

[F. No. 1/5/2019-IR]

LOK RANJAN, Addl. Secy.

Budget Allocation, Expenditures and Disbursements.

[U/s 4(1)(b)(xi) of the RTI Act, 2005]

Under Section 4(1)(b)(xi) the Commission has to provide details of allocation of budget and disbursement made during financial years 2019-2020 & 2020-2021. These are placed on the website giving details of budget and its utilization till date in the following format to comply with this section.

Net Grant Statement 2022-23

	Head of Account	Original Grant in Budget	Supplementary Grant	Allotment Received during April '22 to March '23 of F.Y. 2022-23	Actual Expenses during April '22 to March '23 of F.Y. 2022-23
	i	ii	iii	iv	v
1	42-2052-00-090-028-01-01-V	15772000	Nil	15772000	14804053

2	42-2052-00-090-028-01-02-V	1220000	Nil	1220000	2205071
3	42-2052-00-090-028-01-03-V	2840000	Nil	2840000	2615114
4	42-2052-00-090-028-01-04-V	35000	Nil	35000	19200
5	42-2052-00-090-028-01-07-V	2850000	Nil	2850000	2832527
6	42-2052-00-090-028-01-12-V	11000	Nil	11000	6000
7	42-2052-00-090-028-02-00-V	3106000	Nil	3106000	2637079
8	42-2052-00-090-028-07-00-V	258000	Nil	129000	299760
9	42-2052-00-090-028-11-00-V	295000	Nil	111000	92795
10	42-2052-00-090-028-12-00-V	66000	Nil	33000	75209
11	42-2052-00-090-028-13-01-V	101000	Nil	101000	30579
12	42-2052-00-090-028-13-02-V	327000	Nil	327000	260554
13	42-2052-00-090-028-13-03-V	423000	145000	568000	563185
14	42-2052-00-090-028-13-04-V	1301000	64000	1365000	1364495
15	42-2052-00-090-028-27-00-V	11000	Nil	3000	0
16	42-2052-00-090-028-28-02-V	671000	151000	822000	820677
17	42-2052-00-090-028-50-00-V	182000	330000	512000	510304
18	42-2070-00-003-013-77-00-V	Nil	Nil	906133	863464

The budget provision for the financial year 2023- 2024 is also given hereunder:

Sl. No.	Head of account	Budget Provision, 2023- 2024 (₹)
1	42-2052-00-090-00-028-V-01-01	15593000
2	42-2052-00-090-00-028-V-01-02	1132000
3	42-2052-00-090-00-028-V-01-03	3167000
4	42-2052-00-090-00-028-V-01-04	23000
5	42-2052-00-090-00-028-V-01-07	3083000
6	42-2052-00-090-00-028-V-01-12	6000
7	42-2052-00-090-00-028-V-02-00	2922000
8	42-2052-00-090-00-028-V-07-00	263000
9	42-2052-00-090-00-028-V-11-00	301000
10	42-2052-00-090-00-028-V-12-00	67000
11	42-2052-00-090-00-028-V-13-01	103000
12	42-2052-00-090-00-028-V-13-02	334000
13	42-2052-00-090-00-028-V-13-03	431000
14	42-2052-00-090-00-028-V-13-04	1327000
15	42-2052-00-090-00-028-V-27-00	11000
16	42-2052-00-090-00-028-V-28-02	684000
17	42-2052-00-090-00-028-V-50-00	186000

Execution of subsidy programmes

[U/s 4(1)(b)(xii) of the RTI Act, 2005]

The Commission does not implement any subsidy programme.

Recipients of concessions, permits or authorizations granted**[U/s 4(1)(b)(xiii) of the RTI Act, 2005]**

None

Information available in electronic form**[U/s 4(1)(b)(xiv) of the RTI Act, 2005]**

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

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

Sl. No.	Type of Document	In which electronic format it is kept	Mode of retrieval
1.	The Right to Information Act, 2005	On website	Internet
2.	The West Bengal Right to Information Rules, 2006 and its amendments	Do	Do
3.	The Right to Information (Amendment) Act, 2019	Do	Do
4.	Relevant Notifications issued by the Government	Do	Do
5.	List of SPIOs as provided by the Public Authorities	Do	Do
6.	Decisions / orders of Hearing of the WBIC	Do	Do
7.	Show Cause Notices	Do	Do
8.	Details of penalty imposed, compensation awarded and Disciplinary Proceedings recommended.	Do	Do
9.	Cause List along-with copy of Appeal / Complaint file	Do	Do
10.	Appeal / Complaint format	Do	Do
11.	Important Circulars / Notifications	Do	Do
12.	Frequently Asked Questions about the RTI Act, 2005	Do	Do
13.	Annual Reports of the Commission	Do	Do
14.	Important letters of the Commission explaining different provisions of the Act	Do	Do
15.	Publication of notices inviting Tenders/ Quotations	Do	Do

16.	Notice / office orders of the Commission	Do	Do
17.	Bio Data of the Commissioners and Officers.	Do	Do
18.	Docket Register (regarding newly filed Appeals and Complaints)	Do	Do
19.	Details of Communications received	Do	Do
20	Link to join virtual hearing	Do	Do

Facilities available to citizens for obtaining information

[U/s 4(1)(b)(xv) of the RTI Act, 2005]

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

The names, designation and other particulars of the Public Information Officers of the Commission

[U/s 4(1)(b)(xvi) of the RTI Act, 2005]

WEST BENGAL INFORMATION COMMISSION

1.	Shri Ajay Lakra Law Officer & Joint Registrar	WEST BENGAL INFORMATION COMMISSION Khadya Bhaban, 11A, Mirza Ghalib Street, Kolkata – 700 087. Email- scic-wb@nic.in Website- www.wbic.wb.gov.in	Appellate Authority vide Notification No. 2615-WBIC-11011(99)/2/2022-SEC-WBIC dated 22.08.2023
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2.	Ruhul Amin, Section Officer	Do	
3	Sri Raja Sengupta, Section Officer	Do	SPIO vide Notification No. 1151-WBIC- 13012(12)/1/2024- SECY(WBIC)- WBIC DATE- 27.03.24

Other information

[U/s 4(1)(b)(xvii) of the RTI Act, 2005]

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

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