



RIGHT TO
INFORMATION



Annual Report

2017-18

SIKKIM INFORMATION COMMISSION

Old Secretariat, Below Super Market, NH-10 Gangtok

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INTRODUCTION

Right to information considered amongst one of the most important piece of legislation in the history of India ,has further deepened the roots of democracy in India and empowered the citizens of the country.

The freedom of speech and expression already enshrined in the Constitution of India under Article 19(1) would be partially bereft of its strength, without the required information to its citizens and can further endanger the Right to Equality, enshrined in the Constitution.

The RTI Act 2005, which lays down the substantive and procedural right to seek information, has enabled any citizens of India to, know about the utilization of public resources, details of the laws and Government policy and consequent decisions of public interest. It acts as fulcrum on which the balance of Governence and accountability is tipped towards the Public ,with the powers bestowed on him to Seek quality Information , which shall be given to him within a specified timeline.

Sikkim, as a progressive state in the Federal Union has been successful in implementing the RTI Act in all its totality. The Sikkim Information Commission headed by the Shri M.B.Gurung (Retd Secretary)and current Chief Information Commissioner(CIC), has ensured,that all sections of the society are enabled with the knowhow on the procedural and lagislative aspects of the RTI A ct. The autonomy of the Commission and the various administrative measures taken over the years has strengthened the resilience of RTI in the Sikkim.

JD Bhutia
Secretary
Sikkim Information Commission
Gangtok

CHAPTER – 1

SIKKIM INFORMATION COMMISSION

The Sikkim Information Commission was constituted on 12/07/2006 vide Government of Sikkim Notification No.27/Gen/DOP dated: 05/08/2006 with its headquarter at Gangtok. The present incumbent Shri M.B.Gurung, Secretary (Retd.) assumed charge of the office of the Sikkim State Chief Information Commissioner on 24.02.2018 and the present incumbent Shri C.P.Dhakal, Secretary (Retd.) assumed charge of the office of the Sikkim State Information Commissioner on 27.11.2018.

The Right to Information Act, 2005 prescribes that the State Government shall provide the State CIC with such officers and staff as may be necessary for the efficient performance of his duties and functions under the Act and the salaries and allowances payable to and the terms and conditions of services shall be such as may be prescribed.

To enable the Commission to function effectively, the following manpower have been posted to the SIC by the State Government on deputation:-

Sl.No.	Name	Designation	Office No.
1	Shri Jigme Dorjee Bhutia	Secretary	03592205465
2	Shri Abinash Rai	Dy. Secretary	-
3	Shri Topgay Bhutia	Under Secretary	9474525237
4	Mrs. Tshering Choden Bhutia	Law Officer	9434410292
5	Shri Bhim Lall Nepal	Steno-I	9434137356
6	Shri Arjun Rai	Assistant Programmer	9002276315
7	Mrs. Pratiwa Bantawa	Accountant	7557002152
8	Shri Raju Chettri	Steno-III	9609853383
9	Mrs. Bishnu Bagdas	UDC	9832344363
10	Shri Harka Raj Rai	Accounts Clerk	9564350625
11	Shri Namfang Lepcha	Driver	9733414173
12	Shri Padam Kumar Darjee	Driver	9775415264
13	Shri Ashif Tamang	Peon	9609120511
14	Mrs. Khusmaya Sunwar	Peon	9563194801
15	Shri Wangyal Bhutia	Peon	9635972393

The following employees have been engaged by the Commission under muster roll establishment on need basis:-

Sl.No.	Name	Designation	Contact No.
1	Mrs. Netra Chettri	LDC (MR)	9593982587
2	Shri Tenzing Lepcha	Peon (MR)	9474018112
3	Miss. Phuti Sherpa	Peon (MR)	8001355964
4	Miss Ambika Rai	WHG	8768732043
5	Shri Ugen Gyatso Ladingpa	HG	8348821278
6	Shri Sanjeev Bardewa	Driver (MR)	9832315937
8	Shri Dal Bdr. Chettri	Driver (MR)	9735858002
7	Shri Sonam Dawa Bhutia	Driver (MR)	
9	Mrs. Sarika Balmiki	Safaikarmachari (Consolidated)	9002206397

Powers and functions of the SCIC/SIC/ Officers and Employees of SIC U/s 4 (1) (b) (ii)

Sl.No.	Name	Designation	Power & Functions
1.	Shri M.B.Gurung, Secretary (Retd.)	State Chief Information Commissioner	Under sub-section (4) of section 15 of the RTI Act, 2005 the general superintendence, direction and management of the affairs of the State Information Commission in Sikkim, vests upon the State Chief Information Commissioner 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 as under this Act.
2.	Shri C.P.Dhakal, Secretary (Retd.)	State Information Commissioner	-do-

Administration

Sl.No.	Name	Designation	Duties/Responsibilities
1.	Shri Jigme Dorjee Bhutia	Secretary	HOD. Overall I/C of the Administration. Also as FAA and Registrar of the Commission)
2.	Shri Abinash Rai	Dy. Secretary	Entrusted with the implementation of schemes & promotional activities of the Commission. Administration, Drawing & Disbursing Officer. Proposals for amendment in RTI procedures and Rules.
3.	Shri Topgay Bhutia	U.S	Administrative
4.	Shri Bhim Lall Nepal	Steno-I	P.A to Secretary, SIC. Any other assignments as and when directed by the Commission.
5.	Shri Arjun Rai	Asstt. Programmer	He shall deal with I.T related works of this Commission He shall be responsible for keeping records of monthly/Yearly reports and updating of various records including the list of Transparency Officers, Appellate Authority, State Public Information Officer & Assistant State Public Information Officer in computerized format. He shall also maintain website pertaining to this commission and shall also assist to conduct various awareness programme on RTI Act, 2005, within Sikkim.
6.	Shri Raju Chettri	Steno-III	P.A to HCIC. Any other assignment as and when directed by the State Chief Information Commissioner.
7.	Smt. Bishnu Bagdas	UDC	Administrative matters and any other assignments entrusted from time to time.

Accounts Section

Sl.No.	Name	Designation	Duties/Responsibilities
1.	Smt. Pratiwa Bantawa	Accountant	Management & operation of Finance and Accounts matter of the SIC. Responsible for internal and external audit of the Commission.
2.	Shri Harka Raj Rai	Accounts Clerk	Finance & Accounts matters

Legal Section

Sl.No.	Name	Designation	Duties/Responsibilities
1.	Smt. Tshering Choden Bhutia	Law Officer	Registering appeals & complaints, generating cause lists, summoning parties, disposing of cases after the verdict and keeping safe custody of the order sheet as also uploading the details in the Commission website. Function as ASPIO of the Commission any other assignments of the Commission.
2.	Smt. Netra Chettri	LDC on MR Basis	Assist Law Officer with works pertaining to Legal Section, etc.

Skilled "C" Grade Technical Employees of SIC

Sl.No.	Name	Designation	Duties/Responsibilities
1.	Shri Nangfang Lepcha	Driver	Stand by driver of the SIC. Additional duty of office peon.
2.	Shri Padam Kumar Darjee	Driver	Attached to Officer Vehicle No.Sk01G2656
3.	Shri Sanjeev Bardewa	Driver (M/R)	Attached to Officer Vehicle No. SK01G2223
4.	Shri Dal Bdr. Chettri	Driver (M/R)	Attached to Officer Vehicle No. Sk01G2016
5.	Shri Sonam Dawa Bhutia	Driver (M/R)	Attached to Officer Vehicle No.Sko1G0064
6.	Shri Dupchen Machangpa	Driver (M/R)	Attached to Officer Vehicle No.SK01TR 993

Group “D” Employees of SIC

Sl.No.	Name	Designation	Duties/Responsibilities
1.	Shri Ashif Tamang	Peon	Dak duty/attached to Finance & Accounts section
2.	Smt. Kushmaya Sunar	Peon	Usual Works of Gr. D employees Attached with Admin section
3.	Shri Wangyal Bhutia	Peon	Attached with CIC. Shall performs duties of process server and other duties as well.
4.	Shri Tenzing Lepcha	Peon (M/R)	Attached with Law Officer, SIC.
5.	Miss Phuti Sherpa	Peon (M/R)	Attached with Dy. Secretary and shall perform other duties as well.
6.	Shri Sarika Balmiki	Safaikarmachari (Part Time)	Sweepers assignment in the SIC

Home Guards Personal Deployed Under SIC

Sl.No.	Name	Designation	Duties/Resppnsibilities
1.	Miss Ambika Rai	WHG	Security of SIC
2.	Shri Ugen Gyatso Ladingpa	HG	Security of SIC

Website of the Commission

In view of the potential of I.T and electronic media to enable people to have access to information, the Commission designed and launched its website. The website waa hosted in the NIC. All the voluntary RTI disclosures of the public authorities in terms of section 4(1) of the Act have been uploaded in the Commission Website among other important information. Since only a few public authorities have launched their websites and many are yet to publish their voluntary disclosure in print media, citizens can see information by accessing the Commission website which is www.cicsikkim.gov.in and State Portal www.sikkim.gov.in.

Budget and Accounts of the Commission Year – 2017-2018

The budget for the Sikkim Information Commission is published in the Budget book of the State Government under Demand No.28 under Major Head-2052 Secretariat 45 Chief Information Commissioner where the budget is further classified to Minor Head-00.01- Salaries, 00.11- Travel expenses and 00.13- Office Expenses. Total receipts and expenditure from 1st January 2016 to 31.12.2017 for the financial year 2017-18 is as under:-

BUDGET UTILIZATION OF SIKKIM INFORMATION COMMISSION

SL.NO	<u>2017-2018</u>				
1	SALARIES	OFFICE EXPENSES	TRAVEL EXPENSES	TOTAL BUDGET	UTILIZATION
	RS. 1,17,42,000/-	RS. 29,00,000	RS. 14,00,000	RS. 1,60,42,000	RS. 1,60,42,000

GLIMPSES OF SOME OF THE PROMOTIONAL ACTIVITIES OF SIKKIM INFORMATION COMMISSION DURING THE YEAR 2017-2018

The Commission organised RTI Sensitization programmes on the RTI Act, 2005 at different Schools, Colleges and BAC Office of Sikkim which were not covered earlier viz. Harkamaya College, Holy Cross School 6th Mile tadong, Deorali Govt. Sr. Sec. School, Sikkim Manipal Institute of Medical Science, Tadong, Burtuk Govt. Law College, Rongli BAC Office, Tashi namgyal Academy Gangtok, CCCT College Chisopani South Sikkim, ICFAI College Sichey, Govt. College Burtul, N.B.Bhandari Degree College tadong and Rhenock Govt. College respectively. The target group were all the members of the College Principal, Lactural, Teachers, Senior Level Students and general public of those areas who were made aware of the provisions of the RTI Act. Participants showed keen interest about their right to information which made the entire programme very interactive and fruitful.

CHAPTER – 2

List of Appeal/Complaint received during the year 2017-2018

Sl.No.	Nos. of Appeal	Nos. of Complaint
1	77	03

The Penalty under Section 20 (1) of the Right to Information Act,2005) imposed during the Year 2017-2018

Sl.No.	Appeal No.	Appellant Name	Name of Public Authority	Penalty
1.	13/SIC/2017	Niki Lepcha	RM&DD	Rs.2500/-
2.	06/SIC/2019	Santa Bir Gurung	Horticulture & Cash Crop Development Department	Rs.2000/-
3.	12/SIC/2019	Tashi Thendup Bhutia	Horticulture & Cash Crop Development Department	Rs.2000/-

The Compensation under Section 19(8) of the Right to Information Act, 2005 during the Year 2017-2018

Sl.No.	Appeal No.	Appellant Name	Name of Public Authority	Penalty
1.	38/SIC/2019	Prem Raj Gurung	Irrigation & Flood Control Department	Rs.3000/-

According to Sub (3) and (2) of section 25 of the Act, each department in relation to the public authorities within its jurisdiction shall collect and provide such information to the State Information Commission as is required to prepare the Yearly Report of the Commission and comply with the requirements.

**STATEMENT OF APPELLATE AUTHORITY/SPIO/ASPIO RECEIVED FROM
DEPARTMENTS/PSUs DURING THE YEAR 2017-2018**

Sl.No.	Name of Department	Appellate Authority	SPIO	ASPIO	Phone No. & Fax No. & website
1.	Animal Husbandry LF & VS Department	1. Dr. Sangay D.Bhutia, Addl. Director (East) 9434127258 2. Dr. S.K.Subba, Addl. Director (North) 9434241634 3. Dr.Sanjay Pradhan, Jt. Director (West) 9733051860 4. Dr. Tilotama Bajgai, Jt. Director (South) 9434033008 5. Dr. N.T.Bhutia, Director (VS)	1. Dr. P.K. Pradhan, l Direcor, (E&T) 9434179031 2. Dr. Puspa Kala Rai, Director, (VS) 9932706073	1. Addl. Director, West District 2. Joint Director, South District 3. Joint Director, East District 4. Joint Director, North District	sikkim-ahvs.gov.in

		6.	3.	5.	
(a)	Directorate of Fisheries	Shri. Sunil Pradhan, Additional Director Mobile No: 9434109803	Shri C.S Rai, Jt. Director-II	(i) Shri. Man Kumar Rai, U.S/Gangtok/East (ii) Shri Devi Bdr. Rai Jt. Director/East (iii) Shri Chuman Singh Rai, Jt.Director/South Dist. (iv) Shri Nagendra Dhakal , Dy. Director/North Dist.	sikkim- ahvs.gov.in

2.	Buildings & Housing Department	Shri Kuldip Chettri, C.S	<ol style="list-style-type: none"> 1. Shri M.N Dhakal, Spl. Secretary, (Adm.) Gangtok 7319565234 2. Smt. Yogita Rai, Jt. Chief Architect, Gangtok 9434110063 3. Shri S.S Timsina D.E (N/E) 4. Shri. Thupden Lachungpa, S.E (South/West) 9434080051 5. Shri Karma Chopel Bhutia, Ditractor. Actt. Section 6. J.B Basnet, S.E/Project Section 7. Shri P.S Tewari, S.E (Electrical Circle) 	<ol style="list-style-type: none"> 1. Shri. Sonam Pinsto Bhutia, DE (South) 9733017987 2. Shri Bidlat Rai, D.E (N/E) Gnagtok 9647859299 3. Shri. Saurav T.Lepcha (HQ) - 9434408980 4. Shri. Karma Yangtey, DE (Project I) Gangtok 9474529106 5. Shri. Karma Samdup, DE (Project II) Gangtok - 9434164467 6. Shri. Sonam T. Kalyon, DE (Electrical) Gangtok 9832626526 7. Mrs. Dipika Rai, U.S (Adm.) Gangtok 9434235675 8. P.B Chettri, A.O Gangtok - 9434204020 <p>Planning Division</p> <ol style="list-style-type: none"> 9. Pravakar Basnet, D.E Planning Division <p>West Division</p> <ol style="list-style-type: none"> 10. Naweena Kr. Gurung, D.E /West District <p>Store Division</p> <ol style="list-style-type: none"> 11. Phurba Bhutia, A.E/Store Division 12. Shri S.S Timsina, D.E (N/E Division) 	
3.	Commerce & Industries Department	Shri. Shiv Kumar Pradhan, Secretary, Mobile No:9593885581	<ol style="list-style-type: none"> 1. Shri. Pempo T. Pulger (Joint Secretary) 9434030146 2. Shri Karma Sonam Bhutia, G.M/DIC(E/N) Deorali 3. Ms Mrinalini Shrivastava, IPS, MD/Temi Tea Estate 4. Shri N.Jaswant, Joint 	<ol style="list-style-type: none"> 1. Laxmi N.Nepal, Deputy Secretary/Gangtok 2. Smt.Yashel Doma Lepcha, U.S/Gangtok 3. Shri Prem Gurung,U.S DIC(E/N) Deorali 4. Smt. Rinzing Choden, D.S/DIC(S/W) Jorethang 	Ph No. 2026174, 202318, Fax: 202670

			Secretary II/8900577320	5. Shri Lhaden Tshering Bhutia, Manager/Temi Tea Estate 6. Shri Ujjal Rai, Dy. Secretary II/9434033201	
(a)	Directorate of Handicrafts & Handloom	Smt. Jyotshna Mary Karthak, Director 03595203126	Mr. Karma Samten Bhutia, Jt. Director (M/S) 9593605456	Mr.Jigme Pintso Bhutia, Asstt. Director (P) 9679183707	Phone: 03592- 203126, Fax: 203126, E-mail: director.dhhsik kim@gmail.co m
(b)	Sikkim Village & Khadi Industries Board	Shri. Gyermie Yousal, Chief Executive Officer, Ph. No:281221, Mobile No: 9434080499	Smt. Tenzing Yangchen Bhutia, Dy. Executive Officer/8670655945	Smt. Asha Lata Kharga, A.O/7872325322	sikkimkhadi@g mail.com
4.	Cooperation Department	1. Ms. Jabi Thapa, Addl. Registrar(I) 2. Shri. R.K. Gautam, Pr. Registrar (HQ) 9434025280 3. Shri Tulshi Pradhan, Addl. Registrar (East) 9434103730 4. Shri Wangchuk Bhutia, Jt. Registrar (West) 9434191528 5. Shri Sonam Dadul, Jt. Registrar (North) 9474058753 6. Shri Matrika Khatiwada, Jt. Registrar (South) 9475979358 7. Ms. Pema Ongmu Bhutia, Jt. Registrar (East District)	1. Ms. Karma Ongmu, Joint Registrar(HQ) 9434033233 2. Shri Sonam Bhutia, Dy. Registrar (North) 9775452195 3. Shri P.T Lama, Dy. Registrar (West) 9733029128 4. Ms.Sewan Rai, Dy. Registrar (South) 9434257557 5. Ms.Chanda Rani Rai, Dy. Registrar (East) 9434407226 6. Shri Matrika Khatiwara, Joint Registrar	1. Shri K.P Sharma, Dy. Registrar (HQ) 9434868010 2. Shri Atish Rai, Asstt. Registrar (East) 8509758180 3. Shri Yougal Kishor Pradhan, Audit Officer (North)9593881213 4. Ms. Sabina Rai, Asstt. Registrar (West) 9733027181 5. Shri Laxuman Rai, Asstt. Registrar (South) 9641761744 6. Ms. Mamta Mukhia, Dt. Secretary (Adm.)	coop- sikkim@yahoo. com

5.	Cultural Affairs & Heritage Department	Smt.Vidhya Subba, Special Secy.	Shri Dushyant Pariyar, Addl. Secretary	Mrs. Marina Rai, Under Secretary	
6.	Department of Personnel Adm Reforms, Trg. & Public Grievance		Shri Tashi Chophel, Addl. Secretary	Mrs. Yashal Doma, Under Secretary-I	
(a)	AATI		Smt. Bibhuti Pradhan, Dy. Secretary 9734042435	Mrs. Sonam Chhoki Yonzon, U.S 9593888658	
7.	Development Planning Economic Reforms & North Eastern Council Affairs Department	Shri Sonam Y.Lepcha, Special Secy-II	Ms.Norzing Tshering, Addl. Secy	Ms. Tshering Lhaden Lacungpa, Dy. Secy-III	
(a)	DESM&E		Shri. T.R. Dahal, Deputy Director	Shri. Thupden T. Geleg, Assistant Director Mobile No: 9832055268	Tel: (03592) 221546 Fax: (03592) 206125
8.	Ecclesiastical Affairs Department		Shri Kitar Sherpa, Joint Director 9932825622	Chungki Lhamu, Dy. Secretary Mobile No: 8670655246	
9.	Election Department	Tenzing Geleg, CEO	Urvashi Poudyal, Jt. CEO	Mr. Tashi Tshering Bhutia, Joint Director	03592-202539
10.	Energy & Power Department	Shri A.B.Rai, PCE 9593274604	1. Shri Binod Sharma, C.A.O(HQ) 9433412725 2. Shri H.B Subba, Addl. C.E (HQ) 9733323757 3. Shri Devendra Pradhan, ACE, Mechanical/HQ	1. Mrs. Champa Sharma, U.S (HQ) 96355781643 2. Shri Arvind Rai, D.E (HQ) 9434722252 3. Shri Ramesh Pradhan, D.E/West 9593274606	

			964788135 4. Shri K.C. Sharma, S.E (Civil)/HQ 5. Shri Bijoy Kr. Subba, Joint Secretary (Adm. Section)	4. Shri Sonam Wangdi Bhutia, Executive Engineer 9434064652 (North) 5. Shri B.K.Rai, D.E (South) 8976515055 6. Ms.Raksha Nepal, A.E (HQ) 9800110776 7. Shri Sandeep Silal, A.E (HQ) 9933761142	
11.	Excise Department	Mrs. Benita Chettri, Spl. Commissioner –cum- Commissioner 7872022811	1. Mrs.Yishey D.Yongda, Addl. Secretary 9434164582	1. Shri J.B Basnett Asstt. Commissioner North/East 9434184253 2. Shri Namgyal Dorjee Bhutia, Dy. Commissioner South/West 9434356135 3. Benita Sharma, Dy. Commissioner (HQ) 9434153191 4. Mrs. Princy Palden Dhondup, Sr. A.O, Acctt. Section 5. Shri Namgyal Dorjee Bhutia, Asstt. Commissioner, South/West 8145107601	
12.	Finance Revenue & Expenditure Department	Shri. Govind Kaushik, Director of Accounts Mobile No: 9434710413	Shri B.K Karkidoli Addl. Secy. 9434174684	Shri Depen Sharma, Dy. Secretary	03592200200 03592202792 www.sikkimfre d.gov.in
(a)	Directorate of Sikkim State Lotteries	Tashi Cho Cho, Director	Tenzing T.Kaleon Addl. Secretary 03592280226	Mr.B.B.Bardewa, Sr. Accounts Officer 035922280225 Sangay Gyatso Bhutia, U.S	www.sikkimlott eries.com

(b)	Treasury Pay & Accounts Office (HQ)	Shri. Govind Kaushik, Director of Accounts Mobile No: 9434710413	Shri B.B Subba, Addl. Director	Mrs. K.P. Sapkota, CPAO Mobile No: 9434871217	
(c)	Office of the Director Pension, Group Insurance & Provident Fund Finance, Rev. & Expenditure Department	Shri M.C.P.Pradhan, Director	Shri. Tarzan Subba, SFAS, Chief Accounts Officer Mob:9733092007	Shri. Ben Kumar Giri,Sr. A.O	sikkimfred.gov.in
(d)	Commercial Tax Division	Smt.Dipa Basnett, Sply. Secy. Cum Commissioner	Shri. Manoj Rai, Joint Commissioner Mobile No. 9932028369	Shri. Choden Gensapa, Dy. Commissioner Mobile No. 9733001867	9832028369 9733001867 sikkimtax.gov.in
13.	Food & Civil Supplies & Consumer Affairs Department	Mrs. Ganga D.Pradhan, Special Secretary 03592-202214	Ms. Dicky Yangzom Barfungpa, Addl. Secretary. 9434084722	1. Mr. Pintso Namgayl Bhutia, Jt. Director (East) 9733271222 2. Mr. Anil Sikdel, A.D (HQ) 9832344649 3. Mr. Dilip Sharma DCSO (West) 9733283855 4. Mr. Palden N. Lachungpa DCSO (North) 8145896216	
14.	Food Security & Agriculture Department	Dr. S. Anbalagan, Executive Director, SOM, FS & ADD 9733060033	Shri Goutam naren Addl. Director	Shri. Mani Kumar Pradhan, Additional Director, SOM. Ph. No. 9002770062	
15.	Forest, Env. & Wildlife Management Department	Shri B.P Pradhan, CCF	1. Y.P Gurung, Conservator of Forest (FCA) (Territorial Circle) 9002958804 2. N.W Tamang, Conservator of Forest Wildlife (T) 9434153023 3. B.P Pradhan, (CCF) Forest	1. C.C Lachungpa, Asstt. Conservator of Forest/Territorial Chungthang 7872970612 2. D Lachungpa, DFO (WL) East 7407182996 3. James S Lepcha, Asstt. Conservator of	

			<p>Working Plan Circle (HQ) 9434722098</p> <p>4. J.B Subba, Director, (WL) (HQ) 9933114007</p> <p>5. Sonam Choden, Addl. Director (WL) 9434179126</p> <p>6. B.K Chettri, Sr. (SPCB) (HQ)</p> <p>7. C.K Chettri (Adm) HQ</p> <p>8. Norbu Dadul, Chief A.O (HQ) 9434409275</p> <p>9. Sugan M Saring, D.F.O Territorial/North 9434488499</p> <p>10. Dazom Lachungpa, Jt. Director Env. & Soil Conservation/North Division 9434409507</p> <p>11. Sunil Kumar, DFO (T)/West 9474150777</p> <p>12. Sangay G Bhutia, Jt. Director Wildlife/East Division 9933025113</p> <p>13. R.P Sharma, DFO Territorial/ South Division 9474532328</p> <p>14. Nischal Gautam, DFO (T) East Division</p> <p>15. Kusum Gurung, DFO SBFP, Gtk. 9002256631</p> <p>16. Sudhir Gurung, DFO Social Forestry/West Division 9434169556</p> <p>17. N.Jaswant, Technical Asst to Principal Chief Conservation of Forest (HQ) 8900577320</p> <p>18. Arun Thapa, DFO (Stores)</p>	<p>Forest/Wildlife/Gtk.</p> <p>4. C.P Sharma, DFO /Social Forestry/Gtk.</p> <p>5. Yap Tsh. Bhutia, Asstt. Conservator of Forest/Env. & Soil Conservation/Gtk 9593387560</p> <p>6. Smita Shilal, DFO /Territorial/Rongli Sub- Division 9749898690</p> <p>7. Bhumika Rai, DFO/Territorial Pakyong Sub- Division 9474355888</p> <p>8. Sherap D Sangdarpa, Asstt. Conservator of Forest/Env. & Soil Conservation/Namchi Sub-Division 9474648725</p> <p>9. Tshering Denka Bhutia, DFO /Territorial/Gyalshing Sub-Division 7597992717</p> <p>10. Nisha Subba, Asstt. Conservator of Forest/Wildlife/West District 95933385156</p> <p>11. Tenzing Norbu Bhutia, DFO/Territorial North 8371886244</p> <p>12. Hem Bdr. Rai, Asstt Conservator of Forest/Himalayan Zoological Park, Bulbuley 8116612068</p> <p>13. T. B Subba Estate Manager (HQ)</p>	
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			(HQ) 9832035958 19. Smt. Rajani Bhandari, Joint Director ((HQ) 20. D.F.O KNP/KBR/HZP 21. D.F.O Eco-Tourism 22. Mrs. Radha Koirala, Joint Secretary (Adm. Section)	9439256950 14. Shewani Pradhan, Asstt. Conservator of Forest Forest (State Biodiversity Board) 9609878402 15. Kamal Subba, Asstt. Conservator of Forest (Conservation) Act Cell (HQ) 9609554555 16. Ranjan Rai, Asstt. Environment Engineer (SPCB) 17. B.L Bhattarai, Asstt. Conservator of Forest (EPC) 18. Shri Tshering Gyatso Bhutia, Dy. Secretary (Adm. Section)	
16.	Health Care Human Services & Family Welfare Department	Dr. Rinzing Dorjee, Principal Director – II (HQ) 9434137465	Mrs. Surekha Thapa, Joint Director	Shri Kiran Kumar Thatal, U.S	
17.	Home Department	Shri Pratap Pradhan, Secretary (Protocol)	Mrs. D.K Chettri, Addl. Secretary (P) 9434126821/8016284531	1. Mrs. Mingma Diki Sherpa, Jt. Secy. (P) Section 2. Smt. Pema Lhaden Lama, Dy. Secretary-III (Conf.) 3. Mr. Bhoj Raj Pradhan, Sr. Accounts Officer, Account Section 4. Mr. Jigme Wangchuk Bhutia, Dy. Secy. Conf. Section	
(i)	Sikkim House	Shri. S.K. Pradhan, Secretary (Protocol)	Ms. Monalisa Dsh, Additional Resident Commissioner	Shri Dalip Jaryal, Deputy Resident Commissioner	

18.	Horticulture & C.C. Development Department	Shri.D.K Bhandari, Director 94344008936	Shri Manoj Kumar Subba, Joint Director 8670857420/ 9593285382	Not Appointed	PBX- 232003,232148, 231356
19.	Human Resource Dev. Department	1. Shri. Jitendra Singh Raje, IAS Director (Higher Education) 9434041007 directorhehrdd@gmail.com 1. Shri Balaram Subba, Director Planning Section	2. Bhim Bdr. Thatal, Director, (Primary Education) 9734143475 3. Radha poudyal, Jt. Director (Primary Education) 9434486383 4. Bhawani Pd. Kharel, Addl. C.E (Account Section) 9434410240 5. Kalyan Dewan, Pr. Director (MDM Section) 9474528262 6. Shri Ugen Lepcha, Director (MDM Section) 9434109839 7. T.T.Bhutia, Jt. Director (Exams & Sch. Section) 9434117713 8. Purna Singh Subba, Jt. Director (Language Section) 9733110015 9. Rajendra Chettri, Jt. Director (IT Section) 9434241588 10. Paljor Bhutia, Jt. Director (PME Section) 9733058799 11. Dr.M.P.Kharel, ODS (Higher Education Section) 9434241044 12. Mrs. S.D.Topden, Jt. Director (SSA) 9476130849 13. Subbiah Goundar, Jt.	1. P.R.Dulal, Dy. Director (Primary Education) 8145895167 2. Rajiv Subba, S.E (N/E) Eng. Section) 9434137370 3. C.M Khatiwara, S.E (S/W) (Eng. Section) 9434031167 4. Amar Deep Singh, Sr.Accounts Officer (Acctt. Section) 9734080776 5. Ms.Srijana Rai, A.O (Acctt. Section) 9635299221 6. K.D.Sangderpa, Dy. Director (MDM Section) 8348461992 7. K.D.Sangderpa, Dy. Director (Exams Section) 8348461992 8. P.M.Khanal, Dy. Director (Language Section) 9434109930 9. S.B. Subba, Dy. Director (Language Section) 9733083785 10. Karma Gyurmey Bhutia, Dy. Director (PEM Section) 9434968237 11. Kanta Lohar, Dy. Director (PME Section) 9434407348	

			<p>Director (Technical Edu. Section) 9933002215</p> <p>14. Mrs. Annapurna Alley, Jt. Director (Adm. Section) 9434117687</p> <p>15. Lakpa Tamang, Jt. Director (HQ) 9434865989</p> <p>16. K.C Gyatso, Jt. Director (RMSA /Secondary Education Section) 9434164495</p> <p>17. T.T. Bhutia Jt. Director (Scholarship Section)</p> <p>18. Mamta Thapa, Director (Scholarship/Text Book Section) 9933029580</p> <p>19. Kabita Moktan, Dy. Director (Sec. Edu. Section) 9474059430</p> <p>20. Binita Thapa, Jt. Director (NLM/IDMI Plg &SB) 8906217742</p> <p>21. Devika Sharma, Director (Planning Section) 9332065000</p> <p>22. Dr. Rabin Chettri, Director (SCERT) 9434203584</p> <p>23. Sonam Denzongpa, Jt. Director (East District) 9434184185</p> <p>24. Tshering Eden Bhutia, Jt. Director (West District) 9434127069</p> <p>25. Sonam Lepcha, Jt. Director (North District) 9475544535</p> <p>26. Ms. Tsheringkee Denzongpa, Jt. Director (South District)</p>	<p>12. David Gyamtso, Dy. Director (Higher Edu. Section) 983204899</p> <p>13. P. Gyaltzen Bhutia, A.D (SSA) 9735095543</p> <p>14. Deelak Pradhan, Dy. Director (Tech. Edu. Section) 9635293472</p> <p>15. Ms. Sapana Thapa, U.S (Adm. Section) 9434408950</p> <p>16. Koshi Kapil, U.S (Adm. Section) 8016275362</p> <p>17. Bilal Prabhakar, Dy. Director (RMSA Section) 85090742215</p> <p>18. K.D. Bhutia, Dy. Director (Scholarship Section) 9434127375</p> <p>19. Suchitra Subba, Dy. Director (Text Book Section) 9434204175</p> <p>20. Karma Samten Bhutia, A.D (Planning Section) 9434184179</p> <p>21. Mrs. Indra Singh, Addl. Director (SCERT) 9434487029</p> <p>22. Ms. Tenzing Yangchen Bhutia, Dy. Secy. (Adm. Section) 8670655945</p> <p>23. Ingrid Lhamu Bhutia, Dy. Director (E. District) 9832013180</p> <p>24. Gagar Moktan, Dy. Director (South Dist.) 9832452717</p>	
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			<p>27. Dr.Y.P.Nepal, Addl. Director (SMV/Samdong) 9434025338</p> <p>28. T.Topgay Bhutia, Jt. Director (S.S.T.R.B) 9002145777</p> <p>29. M.K.Rai, Jt. Director (RMSA) 9434203680</p> <p>30. Ms.Surki Bhutia, Jt. Director (SCERT) 9434164700</p> <p>31. Shri C.K.Ds Addl. C.E (North/East) Engineering Section</p> <p>32. Shri A.B.Subba Addl. C.E (South/West) Engineering Section</p>	<p>25. G.P Hahal, OSD (SMV/Samdong) 9434241044</p> <p>26. Mani Kr. Gurung, Coordinator (SSA) 9564990074</p> <p>27. Shri Gyaltshen Sherpa, Dy. Director (SSA) 9632369197</p> <p>28. D.V. Basnet, Asst. Vocational Officer (Vocational Section) 9832044550</p> <p>29. Malati Rai, Dy. Director (SCERT)</p> <p>30. Dr.Shanti Ram Adhikari, Dy. Director (ECERT) 9434318912</p>	
20.	Information & Public Relations Department		Mrs. Parinita Lama, Joint Director/Adm 9434751150	<p>1. Mrs. Bhumika Pradhan, DIO/North 7584838183</p> <p>2. Mr. Simon Subba, DIO (HQ) 9732460023</p>	
21.	Information Technology Department	Shri. Govind Mohan, IAS Pr. Secretary 03592202691	Mr. Sonam Tashi Wangdi, Joint Director 9434107037	Mr. Prem Ashish Pradhan, Asstt. Director 9734928568	<p>Ph.No. 03592-207426</p> <p>Ph. No. 03592-207426,</p> <p>Fax(03592-207426)</p> <p>sikkim.gov.in</p>
22.	Irrigation & Flood Control Department	Shri. Suren Karkidoli, Additional Chief Engineer	J.B. Basnett, Superintending Engineer(N/E) & (S/W) Shri. S.K. Lamichaney, Joint Director (Monitoring & Evaluation Cell)	<p>Shri. Jigme Wangyal Bhutia, D.E (East)</p> <p>Shri. Rajdeep Rai, D.E. (North)</p> <p>Shri. Kamal Gurung, D.E. (Plg cum Store N/E)</p> <p>Shri. T.T. Kazi, D.E.(South cum Store,S/W)</p> <p>Shri. Satish Narayan Pradhan, D.E. (West)</p>	

				Mrs. Angi Doma Bhutia, Dy. Secretary (Adm. Section)Ms. Meena Tamang, Assistant Director (Monitoring & Evaluation Cell) Shri. Mitralall Sharma, Senior A.O (Accounts Section)	
23.	Labour Department	L.P Chettri,. Secretary (Shri K.R.Limboo, Joint Commissioner-II	Durga Khati, U.S 9434446344	
(i)	Skill Dev. And Entrepreneurship Department		Devi Lall Ramudamu, Jt. Director 9434012058	Dr. IBS Yadav, A.D 9434153100	
24.	Land Revenue & Disaster Management Department	Shri Rinzing Chewang Bhutia, Special Secy.	Smt. Dicky Yongzom, Addl. Secy.	Tashi Palmu Namgyal, Dy. Secy.	
i.	East District	Mr. Prabhaker Verma, D.C (East)	Mrs. Gloria Namchu, ADC/HQ	SDM	
ii.	West District	Kapil Meena, D.C 03592250888	Honda Gyaltzen, Addl. D.C 9609850005	1. Hem Kr. Chettri, SDM 9434143936 2. Gayas Pega, SDM, Soreng 9734175747 3. Dilli Ram Thapa, SDM Dentam 7585970629 4. Sonam .R.LEpcha, SDM Yuksom 9647884804	
iii.	North District	District Collector (North)	ADC	SDM	
iv.	South District	District Collector (South)	ADC	SDM	
25.	Law & Parliamentary Affairs Department	Shri R.K. Purkayastha, Principal Secretary	Shri. P. Bhutia, Additional Secretary	Shri Trilochand Adhakari, Sr. Chemist 9733180512	
	Mines Mineral & Geology	Shri Upen Silal, Addl. Director	Shri Phigu Tshering Bhutia, Jojnt Director (M)	Mr. T.Adhikari, Sr. Chemist 97733180512	

26.	Department	9474530588	9933031110		
27.	Sikkim Police	Shri A.K Singh, IPS, ADGP/AP	Sh. Tashi Wangyal Bhutia, PIS AIGP/HQ 03592202581	<ol style="list-style-type: none"> 1. Sh. D.B Giri, IPS Sr. Suptd. Of Police (East) 03592274416 2. Sh.Pratap Pradhan, SPS Sr.Suptd. of Police (West) 0359250763 3. Sh. Shammi Rai, IPS Sr. Suptd. Of Police (North) 03592234242 4. Sh.Tenzing Lodan Lepcha, Sr. Suptd. Of Police (South) 03592263726 5. Sh. B.K Tamang, IPS Suptd. Of Police Check Post 03592203116 6. Sh. Sarda Rani, IPS Dy. Commandant General (Home Guards) 03592202371 7. Sh. Rapden Bhutia, SPS Suptd. Of Police (Reserve Lines) 03592202933 8. Sh. Sonam Tenzing Bhutia, SPS Suptd. Of Police (Crime) 03592202087 9. Sh.K.D Sangdarpa, SPS Suptd. Of Police (Special Branch) 03592202432 10.Sh.Hem Raj Rai, SPS Suptd. Of Police (Vigilance) 03592203160 11. Sh.P.W.Shenga, SPS Suptd. Of Police (Training) 23592202811 	

				<p>12.Sh.S.Sudhakar Rao, IPS ADGP (Communication)0359220 2317</p> <p>13.Sh.Sonam Gyatso Bhutia, SPS Commandant (SAP, Pangthang) 03592237246</p> <p>14.Sh. Shiv Prasad Yallasari, Commandant (1st IRBn) 01124676114</p> <p>15.Sh. Prawing Gurung, SPS, Commandant (2nd IRBn) 03595276291</p> <p>16.Sh. T.T.Tonyot, SPS, Commandant (3rd IRBn) 03592201484</p> <p>17.Sh. D.B. Chettri, SPS, DCFO (Fire & ES) 03592202001</p>	
28.	Printing & Stationary Department	Mr. G.C.Lepcha, Director. 220283,202517,203137,Fax no. 0392-204828	Chopel Lepcha ,Joint Director	<p>1. Bikash Rai, Dy. Director</p> <p>2. Deepmala Pradhan, U.S</p>	
29.	Roads & Bridges Department	<p>1. Shri Rajen Sharma, C.E (N/E) Circle</p> <p>2. K.P Sharma, Addl. C.E (S/W)Circle/Project</p> <p>3. Shri S.W Barfunga, Director/Accounts</p> <p>4. Smt. Manjyoti Rai, A.S (Adm. (HO)</p> <p>5. Shri P.N Sherpa, C.E (Mechanical)</p> <p>6. Ms.Namrata Thapa, Special Secy. (Adm. Section) 9434386022</p>	<p>1. Shri. P.B. Yonzon, Joint Secretary (HQ)</p> <p>2. Shri. Bhola Sharma, CAO (Accounts)/HQ</p> <p>3. Shri C.V Basneet, S.E (Plg.)/HQ</p> <p>4. Shri Cheth Raj Mishr, S.E/N/E</p> <p>5. Shri. Suk Bir Subba, S.E (Project/N/H)</p> <p>6. Smt. Milan PRadhan, S.E (South Circle)</p> <p>7. Shri Yadunanda Gautam, S.E(West Circle)</p> <p>8. Shri Loknath Sharma, S.E (Mechanical)</p>	<p>1. Shri.L.B. Rai, Joint Secretary-II (Adm. Section)</p> <p>2. Shri Nakul Gurung, CAO (II) Accounts Section</p> <p>3. Shri Ashok Sharma, Sr. A.O (Accounts Section)</p> <p>4. Shri Dig Bijay Sharma, D.E (Planning Cell)</p> <p>5. Shri Durga Kamal Rai, D.E (East Division)</p> <p>6. Shri Binod Hang Subba, D.E North Division) (1) East</p> <p>7. Shri Sonam C.Lepcha, D.E Project/NH(S/W)</p>	

				<p>8. Shri Purba Bhutia, D.E Project NH (N/W)</p> <p>9. Shri Namgyal Lepcha, D.E (Ravangla)</p> <p>10. Shri T.T Kazi, D.E (Namchi)</p> <p>11. Shri Bikash Rai, D.E (Gyalshing)</p> <p>12. Shri P.L Sharma, D.E (Soreng)</p> <p>13. Shri Gopal Sharma, A.E (Pakyong)</p> <p>14. Shri Santosh Sharma, A.E (Singtam)</p> <p>15. Shri D.B Subba, A.E.No.IV/ Gangtok</p> <p>16. Shri Nayan Baraily, A.E (Mangan)</p> <p>17. Shri Ramesh Sharma, A.E (Namchi)</p> <p>18. Shri Santosh Rai, A.E (Jorethang)</p> <p>19. Shri Rudra mani Paudyal, A.E (Ravangla)</p> <p>20. Shri Karma S.Bhutia, A.E (Yangang)</p> <p>21. Shri Neetan Ghaley, A.E (Gyalshing)</p> <p>22. Shri D.B Gurung, A.E (Kaluk)</p> <p>23. Shri Suman Pradhan, A.E (Soreng)</p> <p>24. Shri D.P Sewa, A.E (Daramdin)</p> <p>25. Shri Sameer Gurung, A.E (Mech) Gangtok</p> <p>26. Shri Sandeep Gurung, A.E (Mech) Singtam</p>	
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				<p>27. Shri Dil Kr. Modi, A.E (Mech) Jorethang</p> <p>28. Shri N.T Lepcha, A.E (Mech) Gyalshing</p> <p>29. Shri T.R Sharma, A.E (Store) Gangtok</p>	
30.	Rural Management & Dev. Department	<p>1. Mrs. Cheden P. Ladingpa, Director</p> <p>2. Mr. Tenzing Geley, Dy. CEO/SRLM</p> <p>3. Mr. Sisum Wangchuk Bhutia, U.S/PMGY-G & IAY</p>	<p>1. Addl. Secretary/MGNREGA</p> <p>2. Addl. Director (Accounts)/RM&DD</p> <p>3. Addl. DC (Dev.)/Gylashing</p> <p>4. Addl. DC (Dev.)/Namchi</p> <p>5. Addl. DC (Dev.)/Gangtok</p> <p>6. Addl. DC (Dev.)/Mangan</p> <p>7. Addl. DC (Dev.)/Soreng</p> <p>8. Addl. DC (Dev.)/Ravangla</p> <p>9. Addl. DC (Dev.)/Pakyong</p> <p>10. Addl. DC (Dev.)/Chungthang</p> <p>11. S.E /(N/E)</p> <p>12. S.E/Jorethang (S/W)</p> <p>13. S.E Store/PMGSY</p> <p>14. S.E (Plg.)/Project</p> <p>15. Joint Director, SRDA</p> <p>16. District Planning Officer (West) DZP</p> <p>17. District Planning Officer (North) DZP</p> <p>18. District Planning Officer (East)/DZP</p> <p>19. District Planning Officer (South) DZP</p> <p>20. Deputy Secretary (Adm.)</p> <p>21. Mrs. Mamita Chettri, Asstt. Project Officer/SRLM</p>	<p>1. Deputy Director Monitoring</p> <p>2. Deputy Director (Adm.)</p> <p>3. Deputy Secretary/Sanitation</p> <p>4. Deputy Secretary/MGNREGA</p> <p>5. Deputy Director Panchyat</p> <p>6. D.E/Project/Planning</p> <p>7. D.E PMGSY/Store</p> <p>8. D.E/South (Namchi, PMGSY)</p> <p>9. D.E/West (Gyalshing, PMGSY)</p> <p>10. D.E/(East-I, Gangtok (PMGSY)</p> <p>11. D.E (II), Pakyong (PMGSY)</p> <p>12. D.E (Mangan PMGSY)</p> <p>13. D.E (South (ZP)</p> <p>14. D.E/West (ZP)</p> <p>15. D.E/North (ZP)</p> <p>16. D.E/East (ZP)</p> <p>17. D.E (Jorethang PMGSY)</p> <p>18. Sr. A.O/Accounts Section (HQ)</p> <p>19. Asstt. Project Officer/SRDA</p> <p>20. U.S/IAY/PMAY</p> <p>21. State Project Management (NRLM)</p>	

				22. All Block Dev. Officers of BAC	
31.	Science & Technology Department	Shri Dorjee Thinlay Bhutia Addl. Director	Ms.Tshering Donka Mrs. Suprina Chettri U.S/DST & CC	1. Ms. Rina Brahma, Assistant Director, Ph.No: 9832086021	
32.	Sikkim Legislative Assembly	Smt. Durga D. Pradhan, Addl. Secretary	Smt. Bindhya Rai, Joint Secretary cum DDO	Shri Barun Dahal, Legal Officer	
33.	Sikkim Public Service Commission	Smt. Deepa Rani Thapa, SCS, Secretary 9434761677	1. Shri Gilbert Lepcha, Joint Controller of Examination 2. Smt Binita Thapa, Joint Controller of Examination 3. . Shri Milan Rai, Dy. Controller of Examination	Ms. Chandra Rekha Rai, Assistant Controller of Examination 7679076389	Fax No: 03592-207572
34.	Social Justice Emp. & Welfare Department	Smt.Dhanjyoti Mukhia, Special Secretary 9434193181	1. Shri.K.B. Pradhan, Addl. Secretary Social Welfare Division 9434485011 2. Shri. Dushyant Pariyar, Addl.Secretary cum Director/ICPS 9434491035 3. Shri Promod Agarwal, C.E/Engineering Cell 9933088009 4. Shri K.K.Shrestha, Jt. Director/Adm 9832502125 5. Shri O.M Mangrati, Addl. Director/Accounts 9434080730 6. Shri Anand Pradhan, Addl. Secretary cum Project Director/Welfare	1. Shri Norbu Tsh. Bhutia, Dy. Director/Social Welfare Division 9593077666 2. Shri Satya Prakash Rai, D.E/Engineering Cell 9434169501 3. Smt.Rohini Pradhan, Dy. Secretary/Adm 7063326303 4. Shri Subash Pradhan, Sr. A.O/Accounts 9434164602 5. Ms.Rajani Sharma, U.S/Welfare 8967247711 6. Smt.Hemlatta Moktan, Dy. Secretary/Nutrition Cell (HQ) 9832094601 7. Shri Garjaman Subba, Dy.	

			9434028083 7. Smt.Samita Thapa, Jt. Director/Nutrition Cell 9434448452 8. Smt. Normit Lepcha, Jt. Director/ICDS 8170015088 9. Joint Director, Social Welfare Division	Director/ICDS 9434211733 8. Smt. Bharati Basnett, Joint Director/Nutrition Cell (South) 9932092561 9. Smt. Sonam Lhamu Bhutia, Dy. Director/Nutrition Cell (North) 9933445427 10.Smt. Dolkar Tsh. Bhutia, A.D/Nutrition Cell (East) 9832080333	
35.	Sports & Youth Affairs Department	Shri Kamal Singh Chettri, Addl. Director, Ph.No.7872970967	Shri Bhanu Bhakta Rai, Joint Director (HQ)	1. Mr. B.N Pradhan, Deputy Director, Adm 2. Shri K.D Lepcha, Asstt. Director	
36.	Transport Department (SNT Division)	Shri. S.T. Bhutia, C.E. cum G.M Ph. No. & Fax. No. 8158012220	Shri Dukpa Sherpa, S.E/Mec.	1. Shri. Sanjay Lama,DGM(Rangpo) 8116329227 2. Shri. L.P. Gautam, DGM (HQ) Revenue 9609856252 3. Shri Sanjay PRadhan, Jorethang 4. Mrs.Kumud Bhattarai, CAO, Siliguri 5. Shri Binay PRadhan, AME, Jalipool 6. Shri Arun Kr. Pradhan, AST, Tadong 7. Shri Monoj Kr. Basnet, AME, C/T/W/S 8. Shri Kamal kr. Gurung, Jt. G.M S/W 9. Shri Binay Pradhan, Dt. G.M Jalipool	Ph. No.03592- 203425, Fax- 205647

				10. Shri Arun Kr. Pradhan, AST (Goods Office), SNT 11. Shri Karma Atup Bhutia, U.S (HQ)	
i.	Transport Department Motor Vehicle Div.	Shri Karma Namgyal Bhutia, GM-cum-STA	Ms. Bindu Dhakal, Dy. Secretary MV-Division	1. Shri Kharga Singh Gurung, RTO/Mangan 2. Shri J.B Thapa, Dy. RTO/Gangtok 3. Shri Roshan Pradhan, Asstt RTO/Jorethang 4. Shri Sonam Wangchuk Bhutia, Asstt. RTO/Gyalshing 5. Smt. Bindu Dhakal, Dy. Secy./Head Office, Gangtok 6. Shri Kharka Bdr. Gurung, Dy. RTO Jorethang 7. Shri Ram Hang Subba, RTO, Namchi 8. Shri Krishna Lamichaney, Asstt. RTO, Soreng 9. Ms. Sonam Choden Bhutia, U.S	
37.	Tourism & Civil Aviation Department	1. Shri C.P Dhakal, Spl. Secretary Adm. Section 2. Shri Tshering Thondup Bhutia, Pr. C.E Technical Section	1. Prakash Chettri, Addl. C.E Technical Section (N/E) 2. Shri Lakpa Sherpa, Addl. C.E Technical Section (S/W) 3. Shri Tseten Dorjee Bhutia, Addl. Director (Accounts)	1. Shri Y.N Gautam, SE(SW) 2. Shri Thinley Gyatso Chankapa, SE(N/E) 3. Shri Rimp Dorjee Lepcha, SE(ADB, Plg./Project)	Phone No, 03592 232218, Fax-232216
38.	Urban Development &	Smt. Devika Sharma, (Chettri)	1. Shri L.P Chettri, Spl. Secy.	1. Smr. Rinzing Doma, Dy.	Ph No:

	Housing Department	Chief Architect cum Chief Town Planner	<p>Cum project Director (SIPMIU) Gangtok 03592280781</p> <p>2. Shri Raj Narayan Pradhan, Chief Accounts Officer (UD&HD) Gangtok 03592202900</p> <p>3. Shri Chodak Bhutia, Addl. Secretary, (UD&HD) Gangtok 035922092900</p> <p>4. Shri Rajesh Pradhan, Addl. Chief Town Planner (UD7HD) Gangtok 0359222900</p> <p>5. Shri Dorjee Dadul, Addl. C.E (N/E) UD&HD, Gangtok Engineering Cell Dev. Area 03592202856</p> <p>6. Shri S.T Tamang, Addl. Secretary (S/W) 8016277137</p> <p>7. Shri H.S Sharma, S.E Engineering Section (S/W Circle) 7908176423</p> <p>8. Shri J.N Dorjee, Minicipal Executive Officer (Jorethang Municipal Council) 9593780830</p> <p>9. Smt. Devika Sharma, Chief Architect (Planning) cum Chief Town Planner/Town Planning Section</p> <p>10. Shri Suren Karkidoli, Addl. C.E/Engineering Section</p> <p>11. Shri Ram Bdr. Bhandari, Joint Director/MEO, Geyzing Muncipla Council</p> <p>12. Project Director (SIPMIU)</p>	<p>Secretary (Amusement & Ent. Section) UD&HD, Gangtok 03592202900</p> <p>2. Shri J.B Karki, Sr. A.O Accounts Section (UD&HD) Gangtok 03592202900</p> <p>3. Shri M.K Rai, D.E Engineering Section (S/W Circle) Jorethang Municipal Council</p> <p>4. Smt. C. Phaluntharpa, D.E Engineering Cell (UD&HD) Gangtok Dev. Area</p> <p>5. Smt. Neelam Rai, D.E Engineering Section (East) UD&HD, Gangtok 9733264205</p> <p>6. Shri Richard Lepcha, D.E Engineering Section (North) 7076336248</p> <p>7. Shri Karma Bhutia, Town Planner Planning Section (UD&HD, Gangtok 03592202900</p> <p>8. Shri S.B Subba Bazzar Officer, Trade Licence Section (UD&HD) Gangtok 03592202900</p> <p>9. Miss T.Choden, U.S (Adm. Section) UD&HD, Gangtok</p> <p>10. Shri Deepankar Lama, Dy. Director, I.T Section, 03592202900</p> <p>11. Shri Karma Chankapa, Sr. Inspector, Gtk. Municipal</p>	<p>Secretary: 202726, Office: 202900 Fax: 03592-205087</p>
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			<p>13.Chief Town Planner (NULM) 14.Add. Secretary (Adm) 15.Addl. Secy-cum Mission Director (SBM(U) 16.Addl. Director (Acctt. Section (HQ) 17.Joint Secretary (S/W) Jorethang 18.Joint Chief Town Planner (Town Planning Cell) 19.S.E (N/E) Engineering Cell 20.S.E (S/W)</p>	<p>Corporation) 12. Shri Himmat Rai, MEO (Singatm & Rangpo Nagar Panchyat) 9832556777 13.Shri Rajiv Rai, MEO (South Municipal Council) 9832063663 14.Shri R.B Bhandari, MEO, West Municipal Council 9832012743 15.Shri Vishu Lama, U.S NULM/Central Govt. Related schemes 9832054622 16. Shri Rajesh Pradhan, Addl. Chief Planner cum Mission Director (NULAM)/Central Govt. Related schemes. 17. Smt. Srijana Chettri, U.S/Swachh Bharat Mission (Urban) 18. Shri Mahendra Chettri, MEO/Mangan Nagar Panchyat 19.</p>	
39.	Water Security & PHE Department	Shri Suren Karkidholi, C.S	<p>ADM SEC. 1. Shri B.B.Rai, Jt. Secy ACCTT. SEC. 2. Shri Krma Lodha Tshering N/E Circle 3. Shri K.C Sharma, S.E (N/E) (HQ) ADB Circle 4. Shri Dilip Sharma, S.E Swerage Circle</p>	<p>ADM SEC. 1. Shri Zimba Pintso Bhutia, Dy. Secretary, (HQ) 9474311123 ACCTT. SEC. 2. Shri K.B Gurung, A.O N/E Circle 3. Shri S.S Timisina, D.E (N/E) 4. Shri Binod Adhikari,</p>	

			<p>5. Shri C.K Basnet, S.E S/W Circle</p> <p>6. Shri Rajdeep Rai, S.E</p>	<p>D.E/Water Supply</p> <p>5. Shri K.K PRadhan, D.E/Planning ADBP Circle</p> <p>6. Mrs. Ninjei Bhutia, D.E Swerage Circle</p> <p>7. Shri Dibya Gurung, D.E S/W Circle</p> <p>8. Shri Sonam Gyatso Bhutia, D.E (Geyzing)</p> <p>9. Shri Ramesh Subba, D.E (Namchi)</p>	
40.	Water Resources & River Dev. Deptt.	Smt Asha Gurung, Addl. C.E	<p>Engineering Section</p> <p>1. Shri Deepak Singh, S.E (N/E)</p> <p>2. Shri B.S Niroula, S.E (S/W)</p> <p>Monitoring & Evaluation Cell</p> <p>3. Shri S.K Lamichaney, Joint Director</p> <p>Account Section</p> <p>4. Shri K.G Dawa, CAO</p>	<p>Engineering Section</p> <p>1. Shri Baliraj Adhakari, D.E (East) 9832348530</p> <p>2. Shri Sangay Neop. D.E (North) 7872983067</p> <p>3. Shri Orem Lall Sharma, D.E (N/E)</p> <p>4. Shri Rinzing Dorjee Gyaltsen, D.E (South) 9733181757</p> <p>5. Smt Karna Kri Rai, D.E (West)</p> <p>Adm Section</p> <p>6. Mrs. Jerusha J. Shrestha, U.A</p> <p>Monitoring & Evaluation Cell</p> <p>7. Ms. Meena Tamang, A.D (M&E) 9434410624</p> <p>Accounts Section</p> <p>8. Mrs. Suzana Sharma, Sr. A.O</p>	

Part – I					
1.	Raj Bhawan	Thakur Thapa, Additional Secretary 9434722210	Shri. S.L. Ghimiray, Joint Secretary, Ph.No: 9434203573		
2.	Sikkim Housing & Dev. Board	Mr. Rinzing Dorjee Bhutia, Secretary	Mr. Roshan Gurung, Addl. Chief Engineer 9434031516	Shri Chamchuk Lama, Adm. Officer	
3.	SSERC	Shri S.D Dhakal, Secretary Ph.No.9593377890	Shri.Jigme D.Denjongpa, Director (Legal) Ph.No.9434755005	Mr. Palchen D. Chaktha Director (Tech.) Ph.No.9733151828	
4.	State Bank of Sikkim	Shri. Phurba Wangdi Bhutia, Chief General Manager, 8967207219	Mr. Santi Ram Karki, (GM) Ph. No: 9434864292	Mr.Kuncheok Tenzing , Sr. Manager 9434022144	
5.	Sikkim Information Commission	Shri. Jigme Dorjee Bhutia, Secretary- 9434152987	Shri Abinash Rai, Dy, Secretary	Mrs. Tshering Choden Bhutia, Law Officer cum Assistant Registrar - 7550918043	cicsikkim.gov.in sicosikkim@gmail.com skm@nic.in
6.	State Election Commission, Sikkim	Secretary	Ms. Pema Tsomo Bhutia, Dy. Secretary	Mr. Karma Sherpa, U.S	secsikkim@gmail.com
7.	Law & Parliamentary Affairs	1. Shri R.K. Purkayashtha Pr. Secretary, (Legal, Legislative & Palimentary Affairs Department) 03592205191 2. Shri J.B.Rai L.R-cum Secretary (Law Department) 03592202086	Ms.Choden Gyatso, Joint Secretary-II	Ms.Soloni Pradhan Deputy Legal Officer-V	
8.	Lokayukata	Principal Secretary	Mrs. Chudimit Lepcha, Addl. Legal Officer 9434408722	Miss Chunna Subba, L.O 9647879062	
9.	Gangtok Municipal Corporation	Shri Tshewang Gyachho Municipal Commissioner 9733224497	Shri Sonam Chopell Bhutia, Deputy Minicipal Commissioner 9635821099	Shri Karma Wangchuk, (AMC) 9593367676	
10.	SIDICO	Mrs.T.Yangzom, Chief General	Mr. Adup Lepcha General	Mr. J.T.Tonyot, Deputy	

		Manager Ph.No.202287,202637,203092,29622, Fax No.(03592)202287	Manager Mr. Santa Bir Rai, Dy. General Manager (SPIO) Jorethang Branch Office	General Manager (CELS)	
11.	STCS	Shri Kesang Wangdi, Managing Director	Shri. Menla T. Ethenpa, CGM (I& S) 9434031333	Yashwand Kumar Sharma, Manager (F/A) 9647884472	Phones: 03592 – 281957, 281956, 281955 Fax- 03592 - 281954
12.	SIMFED	Shri. Jiwan Sharma, DGM	Mr. Kailash Rai, General Manager IV		www.simfed.in md@simfed.in
13.	SISCO	Smt. Pema Chenzom, (DGM)	Bivash Lamichaney, Asstt. General Manager	Deepak Tewari (West Zone (Asst. General Manager) T.R. Dorjee (North Zone(AGM) K.J. Lama (East Zone(AGM) R.L. Sharma (South Zone (AGM)	siscobank@yahoo.co.in

Statement of implementation by Public Authorities /PSUs under Section 25(3) of the Right to Information Act, 2005 Year 2017

Sl.No.	Name of the Department	No. of requests received from Public Authority from (1.1.2017 to 31.12.2017)	No. of Request dispose from (1.1.2017 to 31.12.2017)	No. of Pending request from (1.1.2017 to 31.12.2017)	No. of Complaints/ 2 nd Appeals filed before the State Information Commission from (1.1.2017 to 31.12.2017)	Detail of Penalties Imposed by State Information Commission under Section 20(1) from (1.1.2017 to 31.12.2017)	Detail of Disciplinary Action recommended by State Information Commission under Section 20(2) from (1.1.2017 to 31.12.2017)	Fees collected under Form 'A'/Section 6(1) from (1.1.2017 to 31.12.2017)	Fees collected under Section 7(1) and 7(5) from (1.1.2017 to 31.12.2017)	Any facts which indicate an effort by the Public Authority to administer and implement the spirit and intention of this Act from (1.1.2017 to 31.12.2017)	No. of 1 st appeal preferred during the year from (1.1.2017 to 31.12.2017)	No. of First Appeal pending with First Appellate Authority from (1.1.2017 to 31.12.2017)	Recommendations for reform, including for the development, improvement, modernization, reform or amendment to this Act or other legislation or common law or any other matter relevant for operationalising the right to access information from (1.1.2017 to 31.12.2017)
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Animal Husbandry LF & VS Department	31	30	1	-	-	-	Rs.310/-	Rs.814	-	-	-	-
(a)	Directorate of Fisheries	25	10	15	-	-	-	Rs.250/-	-	-	-	-	-
2	Department of Personnel Adm Reforms, Trg. & Public Grievance	34	17	17	-	-	-	Rs.340/-	-	-	-	-	-
3	Ecclesiastical Affairs Department	16	16	Nil	-	-	-	Rs.160/-	Rs.66/-	-	-	-	-
4	Excise Department	12	Nil	Nil	-	-	-	-	-	-	-	-	-
5	Finance Revenue & Expenditure Department	17	17	Nil	-	-	-	Rs.170/-	Rs.3590/-	-	-	-	-

(a)	Office of the Director Pension, Group Insurance & Provident Fund Finance, Rev. & Expenditure Department	3	3	Nil	-	-	-	Rs.30/-	Rs.70/-	-	-	-	-
6	Food & Civil Supplies & Consumer Affairs Department	11	11	Nil	-	-	-	Rs.110/-	-	-	-	-	-
7	Food Security & Agriculture Department	20	10	10	-	-	-	Rs.120/-	Rs.170/-	-	-	-	-
8	Health Care Human Services & Family Welfare Department	110	10	100	-	-	-	Rs.1110/-	Rs.40/-	-	-	-	-
9	Home Department	28	28	Nil	-	-	-	Rs.280/-	Rs.170/-	-	-	-	-
10	Human Resource Dev. Department	137	98	39	-	-	-	-	-	-	-	-	-
11	Legal Legislative & Parliamentary Affairs Department	14	13	1	-	-	-	Rs.140/-	-	-	-	-	-
12	Law Department	10	10	Nil	-	-	-	Rs.100/-	-	-	-	-	-
13	Sikkim Police	46	8	38	-	-	-	-	-	-	-	-	-
14	Rural Management & Dev. Department	89	31	58	-	-	-	-	-	-	-	-	-
15	Sikkim Public Service Commission	51	7	7	-	-	-	Rs.330/-	-	-	-	-	-
16	Social Justice Emp. & Welfare Department	5	4	1	-	-	-	Rs.30/-	-	-	-	-	-

18	Sports & Youth Affairs Department	67	67	Nil	-	-	-	-	-	-	-	-	-
19	Transport Department Motor Vehicle Div.	42	15	27	-	-	-	Rs.420/-	-	-	-	-	-
20	Urban Development & Housing Department	109	67	42	-	-	-	Rs.190	Rs.180/-	-	-	-	-
21	Water Security & PHE Department	20	16	4	-	-	-	Rs.200/-	-	-	-	-	-
22	Water Resources & River Dev. Deptt.	13	6	7	-	-	-	Rs.130/-	-	-	-	-	-
23	Law & Parliamentary Affairs	4	4	Nil	-	-	-	Rs.40/-	-	-	-	-	-
24	DHH	3	1	2	-	-	-	-	-	-	-	-	-
25	KABI TINDA (BAC)	2	Nil	2	-	-	-	-	-	-	-	-	-
26	Cooperative Department (Mangan)	2	1	1	-	-	-	Rs.200/-	-	-	-	-	-

Statement of implementation by Public Authorities /PSUs under Section 25(3) of the Right to Information Act, 2005 Year 2018

Sl.No.	Name of the Department	No. of requests received from Public Authority from (1.1.2018 to 31.12.2018)	No. of Request disposed from (1.1.2018 to 31.12.2018)	No. of Pending request from (1.1.2018 to 31.12.2018)	No. of Complaints/ 2 nd Appeals filed before the State Information Commission from (1.1.2018 to 31.12.2018)	Detail of Penalties Imposed by State Information Commission under Section 20(1) from (1.1.2018 to 31.12.2018)	Detail of Disciplinary Action recommended by State Information Commission under Section 20(2) from (1.1.2018 to 31.12.2018)	Fees collected under Form 'A'/Section 6(1) from (1.1.2018 to 31.12.2018)	Fees collected under Section 7(1) and 7(5) from (1.1.2018 to 31.12.2018)	Any facts which indicate an effort by the Public Authority to administer and implement the spirit and intention of this Act from (1.1.2018 to 31.12.2018)	No. of 1 st appeal preferred during the year from (1.1.2018 to 31.12.2018)	No. of First Appeal pending with First Appellate Authority from (1.1.2018 to 31.12.2018)	Recommendations for reform, including for the development, improvement, modernization, reform or amendment to this Act or other legislation or common law or any other matter relevant for operationalising the right to access information from (1.1.2018 to 31.12.2018)
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Animal Husbandry LF & VS Department	10	1	9	-	-	-	Rs.90/-	Rs.1266/-	-	-	-	-
2	Cooperation Department	1	1	Nil	-	-	-	-	-	-	-	-	-
3	Cultural Affairs & Heritage Department	1	1	Nil	-	-	-	Rs.10/-	-	-	-	-	-
4	Department of Personnel Adm Reforms, Trg. & Public Grievance	43	31	12	-	-	-	Rs.430/-	-	-	-	-	-

5	Development Planning Economic Reforms & North Eastern Council Affairs Department	1	1	Nil	-	-	-	Rs.10/-	-	-	-	-	-
6	Energy & Power Department	36	1	35	-	-	-	Rs.360/-	-	-	-	-	-
(a)	Directorate of Sikkim State Lotteries	4	2	2	-	-	-	Rs.40/-	Rs.410/-	-	-	-	-
(b)	Office of the Director Pension, Group Insurance & Provident Fund Finance, Rev. & Expenditure Department	6	Nil	6	-	-	-	Rs.60/-	-	-	-	-	-
7	Forest, Env. & Wildlife Management Department	8	1	7	-	-	-	Rs.80/-	-	-	-	-	-
8	Health Care Human Services & Family Welfare Department	27	1	26	-	-	-	Rs.270/-	-	-	-	-	-
9	Home Department	20	1	19	-	-	-	Rs.200/-	-	-	-	-	-
10	Human Resource Dev. Department	20	Nil	20	-	-	-	Rs.200/-	-	-	-	-	-
11	Information & Public Relations Department	5	Nil	5	-	-	-	Rs.50/-	-	-	-	-	-
12	Information Technology Department	1	Nil	1	-	-	-	Rs.10/-	-	-	-	-	-
13	Labour Department	6	Nil	6	-	-	-	Rs.60/-	-	-	-	-	-

14	Legal Legislative & Parliamentary Affairs Department	3	2	1	-	-	-	Rs.30/-	-	-	-	-	-
15	Mines Mineral & Geology Department	1	1	Nil	-	-	-	Rs.10/-	-	-	-	-	-
16	Sikkim Police	15	Nil	15	-	-	-	Rs.150/-	-	-	-	-	-
17	Roads & Bridges Department	5	Nil	5	-	-	-	Rs.50/-	-	-	-	-	-
18	Rural Management & Dev. Department	23	8	15	-	-	-	Rs.230/-	-	-	-	-	-
19	Science & Technology Department	24	1	23	-	-	-	Rs.240/-	-	-	-	-	-
20	Sikkim Public Service Commission	18	1	19	-	-	-	Rs.180/-	-	-	-	-	-
21	Sports & Youth Affairs Department	1	1	-	-	-	-	Rs.10/-	-	-	-	-	-
22	(i) Transport Department (SNT Division)	2	2	Nil	-	-	-	Rs.20/-	-	-	-	-	-
23	(ii) Transport Department Motor Vehicle Div.	10	1	9	-	-	-	Rs.30/-	-	-	-	-	-
24	Urban Development & Housing Department	43	18	25	-	-	-	Rs.430/-	-	-	-	-	-
25	Water Security & PHE Department	20	19	1	-	-	-	Rs.200/-	Rs.1892	-	-	-	-
26	Water Resources & River Dev. Deptt.	3	3	Nil	-	-	-	Rs.30/-	-	-	-	-	-

27	Gangtok Municipal Corporation	17	Nil	17	-	-	-	Rs.170/-	-	-	-	-	-
28	BAC DARAMDIN	4	Nil	4	-	-	-	Rs.40/-	-	-	-	-	-
29	BAC HEE MARTAM	1	Nil	1	-	-	-	Rs.10/-	-	-	-	-	-
30	SIKKIM STATE ELECTRICITY REGULARAT ORY COMMISSION	1	Nil	1	-	-	-	Rs.10/-	-	-	-	-	-
31	RMDD UNDER PMGSY	2	Nil	2	-	-	-	Rs.20/-	-	-	-	-	-
32	Office of the ADC,RMDD,C HUNGTHANG , NORTH SIKKIM	3	3	Nil	-	-	-	Rs.30/-	-	-	-	-	-
33	Directorate of panchayati Raj, RMDD GANGTOK TASHILING	12	10	2	-	-	-	Rs.120/-	-	-	-	-	-
34	Office Of The East District Zilla Panchayat Sichey, Gangtok	2	1	1	-	-	-	Rs.10/-	-	-	-	-	-
35	Office Of the ADC RMDD NAMCHI, SOUTH SIKKIM	5	Nil	5	-	-	-	Rs.50/-	-	-	-	-	-
36	BAC KALUK WEST SIKKIM	1	1	Nil	-	-	-	Rs.10/-	-	-	-	-	-

Hearing and disposal of Complaint/Appeal by the Commission

Hearing and disposal of Second Appeal by the Commission: - on deciding the appeal and the complaint.

Documents to accompany appeal/complaint: Every appeal/complaint to the Commission shall be accompanied by the following documents, namely:-

1. Self attested copies/documents of the order against which the appeal/complaint are being preferred.
2. Copies of documents relied upon by the appellant/complainant and referred to in the appeal/complaint and an index of the documents referred to the appeal/complaint.
3. Name and address of the SPIO against the decision of whom the appeal/complaint are preferred).
4. brief facts leading to the appeal/complaint.
5. Prayer or relief sought.
6. Any other information which the Commission may deem necessary for deciding the appeal/complaint.

Thereafter, the Commission will fix the date for hearing after issuing the Notice to all the concerned parties prior to the seven days of hearing.

- i. The Commission shall hear oral or written evidence on oath or on affidavit from concerned or interested person for peruse or impact documents, public records or copies thereof.
- ii. Enquire through authorized officer for further details or facts.
- iii. Hear SPIO, ASPIO and other concerned officers as the case may be.
- iv. If necessary hear third parties.
- v. Receive evidence from SPIO, First Appellate Authority and other concerned officers, such person against whom the appeal/complaint lies or the third party, if necessary another date of hearing will be fixed and after the further hearing the Commission will pass a written order on the same day.

The penalty imposed by the Commission under Section 19 8(b) and 20(1) are as follows:-

- vi. The appellant /complainant at the hearing may be present in person or through his duly authorized representative.
- vii. Where the Commission is satisfied that the circumstances exist due to which the appellant or the complainant as the case may be is being prevented from attending the hearing before the commission, as the case may be, another opportunity of being heard before a final decision is fixed or take any other appropriate action as may deemed fit.
- viii. Order of the Commission shall be processed in open proceeding and be in writing duly authenticated by the Registrar or any other Officer authorized by the Commission for this purpose.

Appeals/Complaints disposed during 2017-2018

Sl.No.	Appeal No.	Name of Appellant	Name of Public Authority
1.	01/SIC/2017	Nar Bahadur Gurung West Sikkim	ASPIO, S.B. Subba(bazaar office) UD&HD.Gangtok. Date:09/01/17
2.	02/SIC/2017	Anil Gurung, Sadam South Sikkim	SPIO,D.E. P.W.D. Date:12/01/2017
3.	03/SIC/2017	Deependra Sharma Lower Rangang, South Sikkim	SE,(S/W)Cum SPIO RMDD Jorethang. Date:20/01/2017
4.	04/SIC/2017	Anil Gurung, Sadam South Sikkim	D.E. P.W.D. Date:30/1/2017
5.	05/SIC/2017	Sonam Tshewang Bhutia& Palden Pintso. Baluakhani, Gangtok (both).	Jt. Secretary Motor Vehicle Division, Transport Deptt. Date:30/1/2017
6.	06/SIC/2017	S.B. Gurung, Lower Burtuk, Manbir Colony Bishal Building ,East Sikkim	SPIO, Horticulture & Cash Crop Dev. Deptt. Date:15/02/2017
7.	07/SIC/2017	Prem Raj Gurung Namchi	SPIO, Additional Chief Engineer, H.R.D.D. Date:10/03/2017
8.	08/SIC/2017	Bhim Singh Choubhay Chamber No.24 Collectorate Court Saharanpur	ELLIM University Date:10/03/2017
9.	09/SIC/2017	Atul Siddheshwar Chavan, of Skp business consulting LLP, Ven Business centre, S.NO. 135/1, Baner Pasan link road pashan pune	SPIO, Sikkim Manipal University 5 th mile , Date:15/03/2017

10.	10/SIC/2017	Ongchuk Bhutia Melli Gumpa, South Sikkim	Tourism & Civil Aviation Department, Tadong Gangtok Date:17/03/2017
11.	11/SIC/2017	Jagdish Cintury Durga Busty Central Pandem P.O.& P.S. Rangpo	SPIO, Power & Enegy Deptt. Gangtok Sikkim Date:07/04/2017
12.	12/SIC/2017	Tashi Thendup Bhutia , Malling block Mangan	J.D. North cum SPIO Horticulture Deptt. Date:21/04/2017
13.	12/SIC/2017	Niki Lepcha Namchi, South District	Devi Prasad Gurung, Suprentendent Engineer Cum SPIO, R.M.D.D. DATE:17/01/2017
14.	14/SIC/2017	Manoj Kumar, Bhagatpur Bihar.	SPIO, H.R.D.D. Gangtok, Date:01/06/2017
15.	15/SIC/2017	Robin Rai , Balwakhani vajra, Gangtok	SPIO, G.M.C. Gangtok Sikkim Date:13/06/17
16.	16/SIC/2017	Manoj Kumar, Kailashpuri Colony Bhagatpur.	SPIO, Directorate of higher education, Govt. Of Sikkim Gangtok. Date:17/06/2017
17.	17/SIC/2017	Madan Tamang, Palitam Busty, Namthang South Sikkim	SPIO, S.P.W.(R&B) Govt. Of Sikkim, Gangtok. Date:05/07/2017
18.	18/SIC/2017	Setayender Singh s/o Raghubir Singh. Village Gabgadharpur Saharanpur Bijnor U.P.	SPIO, Director of Higher Education Gangtok Sikkim Date:05/07/2017
19.	19/SIC/2017	Kalzang Dorjee Lepcha Hee-Gaythang Lower Dzongu, North Sikkim	SPIO, H.R.D.D. Govt. Of Sikkim Gangtok Date:17/07/2017
20.	20/SIC/2017	Chabilall Gurung, Linchum. P/O- Linchum West Sikkim	SPIO, Office of the District Collectorate west, Land Revenue & Disaster Management Deptt. Govt Of Sikkim. DATE:27/07/2017
21.	21/SIC/2017	Shri Phatoy Man Tamang, Namthang, South Sikkim	SPIO, Transport Department, Motor Vehicle Division, Govt. Of Sikkim. Date:16/08/2017
22.	22/SIC/2017	Sanjukta Rai, Housing Colony, Sichey Gangtok Sikkim.	SPIO, Horticulture & Cash Crop Dev. Department, Gangtok Sikkim Date:16/08/2017

23.	23/SIC/2017	Anirudra Khanal, Lower Luing, east Sikkim.	Spio, Officer of the District Collector Govt. Of Sikkim Gangtok. Date:21/08/2017
24.	24/SIC/2017	Sonam Dorjee Bhutia , Arithang, Gangtok	SPIO, A.B.K. Excise Deptt. Govt. Of Sikkim Gangtok. Date:01/09/2017
25.	25/SIC/2017	Shri, Kashyap Gurung, Convoy Ground Tadong.	SPIO, S.T.C.S.(Mr. Menla Ethenpa) Chief General Manager, Govt. Of Sikkim Date:01/09/2017
26.	26/SIC/2017	Shri, Hari Narayan Subedi, Gyalshing West Sikkim.	SPIO, Social Welfare Division, west Sikkim Gyalshing. Date:14/09/2017
27.	27/SIC/2017	Anup Chauhan, W.NO.-5 House No.78 main bazaar poonta sahab, pin code-173025	SPIO, Directorate Of Higher Education H.R.D.D. old secretariat tashiding, gangtok Sikkim,pin-737103 Date:06/10/2017
28.	28/SIC/2017	Hemant Dahal, Sakyong Namgeything, East Sikkim	SPIO, R.M.D.D. Govt. Of Sikkim Gangtok. Date:11/10/2017
29.	29/SIC/2017	Dilip Chettri, Gyalshing ,West Sikkim	SPIO, A.D.C.(DW) gyalshing west Sikkim Date:18/10/2017
30.	30/SIC/2017	Sunil Mallan & Kamal Kant Sector 47C. Chandigarh	SPIO, District Collector East & Sikkim Manipal University. Gangtok. Date:18/10/2017
31.	31/SIC/2017	Dhakalall Chettri, Rangpo, Lower IBM, East Sikkim	SPIO, H.R.D.D. Deptt. Date:31/10/2017
32.	32/SIC/2017	Kedarnath Tiwari. Lingee Sakpay, South Sikkim	SPIO, H.R.D.D. Govt of Sikkim Gangtok Date:9/11/2017
33.	33/SIC/2017	Kalzang Dorjee Lepcha, Hee Gaything, Lower Dzongu North Sikkim	SPIO, Joint Director (North) Date:9/11/2017
34.	34/SIC/2017	Anjali Bhardwaj, B-76, SFS FLATS, SHEIKH SARAI-1, NO-17	SPIO, Sikkim Information Commission Date:14/11/2017
35.	35/SIC/2017	Prem Raj Gurung, Namchi Bazar, South Sikkim	SPIO, C.P.Ladinpa (Additional Secretary) R.M.D.D. Date:16/11/2017
36.	36/SIC/2017	Ashish Kumar , Haryana	SPIO, Sikkim Information Commission

37.	37/SIC/2017	P. Wangdi Bhutia, Pakyong, East Sikkim	SPIO, Horticulture Deptt. Pakyong East Sikkim
38	38/SIC/2017	Shri Prem Raj Gurung, Namchi South Sikkim	SPIO, Forest Department.
39.	39/SIC/2017	Shri Pawan Kumar, R/O-Delhi	SPIO, Sikkim Information Commission
40.	40/SIC/2017	Shri Angu Bhutia, South Karthok, Pakyong East Sikkim	SPIO- Horticulture&Cash Crop Dev. Department
41	41/SIC/2017	Anjali Bhardwaj, B-76,SFS, GARAGE,SHEIKH SARAI PHASE-1 NEW DELHI	SPIO- Sikkim Information Commission
42.	42/SIC/2017	Anjali Bhardwaj,B-76SFS FLATS, GARAGE,SEIKH SARAI PHASE-1 NEW DELHI.	SPIO- Sikkim Information Commission
43.	43/SIC/2017	Amrita Johri, B-76, GARAGE, SFS FLATS,SEIKH PHASE-1, NWE DELHI	SPIO- Sikkim Information Commission
44.	44/SIC/2017	Amrita Johri,B-76, GARAGE,SFS FLATS SHEIKH PHASE-1,NEW DELHI	SPIO- Sikkim Information Commission
45.	45/SIC/2017	Amrita Johri, B-76, GARAGE, SFS FLATS, SHEIKH PHASE-1, NEW DELHI	SPIO- Sikkim Information Commission
46.	46/SIC/2017	Anjali Bhardwaj, B-76,SFS FLATS, SHEIKH SARAI-1,NO-17	SPIO- Sikkim Information Commission Date:14/11/2017

Observations and Recommendations of the Sikkim Information Commission

1. It has been observed that some of the Appellate Authorities of Public Authority have not understood their role as quasi-judicial authority and hesitate to decide and pass appropriate orders on the appeal preferred to them. It is recommended that they may be suitably advised by the concerned Public Authority.
2. All Govt. Departments, Urban local bodies, Panchyati Raj Institutions, Public sector undertaking, NGOs and self help groups substancially financed directly or indirectly by Govt. and all Statutory bodies to set up under Constution and State law needs to declare themselves Public Authority under (h) of section (2) of RTI Act, 2005. Adirection in this regard may be issued by the Govt. Through the Office of the Chief Secretary.
3. The Commission observed that the obligations laid down under section 4 of the RTI Act have not been fulfilled by most of the Public Authorities which is against the provisions of the Act and failure of which may lead to penal provisions. It is therefore, recommended that the Head of the Public Authorities review the position at regular intervals.
4. Many of the public Authorities do not submit requisite information for inclusion in the Annual Report in spite of repeated reminders and personal visit by the employees of the Commission which is very unfortunate. This fact is being brought to the notice of the Government for initiating necessary action.
5. It has been observed that some of the SPIOs proceed on long leave or tours without handing over the charge to other SPIO or appointing auother SPIO, causing inconvenience to both the department as well as the Commission and inviting penalty unnecessarily.
It is recommended for alternative arrangement to be made as mandated under the SGS (Leave) Rules, 1982 which must be reflected in the Office Order. A copy of the O.O may be sent to the Commission for reference.
6. It has been observed that consequent upon transfer of previous Appellate Authorities, SPIOs etc. no new officers have been found to be appointed/designated in some departments.
It is recommended to appoint the required authorities as soon as the vacancy is created as mandated under section 5(1) (2) of RTI Act and endorse a copy of office order to the Commission.
It is also recommended to publicize the particulars of the SPIOs and Appellate Authorities pertaining to each office of a public authority on the office Notice Board and website for the benefit of the public.

7. It is observed that quite a number of Appellate Authorities and PIOs are not conversant with the provisions of the RTI Act, 2005 and have not been trained. For effective implementation of the Act, designated PIOs should become conversant with the provisions and attend trainings on RTI. Training of Government officers and staff on RTI should be a continuous process. A module on RTI must be included in training programmes devised for new entrants in all State Government services.

8. It is observed that as required under Section 4(1) of the RTI Act, computerization of records have not been undertaken by the Public Authorities and even normal record keeping in many of the public authorities is not as what is desired.

It is recommended that Public Authorities undertake computerization of appropriate records at the earliest which will also facilitate retrieving of relevant records for furnishing of information sought through RTI applications. Government may also bring out a time bound programme to comply with this section.

9. To fulfil the obligation and maintain copies in print form especially Cataloguing and Indexing of Records under Section 4(1) (a) and suo-moto declarations under Section 4(1)(b), require a lot of stationery. To minimize the inconvenience of large print material, the Act has also facilitated dissemination of voluminous information through electronic media. Hence, computerization of information relating to these aspects of RTI Act, as also to meet the other obligations under the Act, sufficient budgetary provision becomes a necessity.

Hence, the Commission recommends that the Government may make sufficient budgetary allocations to every government department for meeting the expenditure to fulfil the obligations envisaged under the RTI Act, by creating a minor head of account.

10. The Act under Section 26 mandates that the State Government may develop and organize educational programmes to advance the understanding of the public in particular of disadvantaged communities as to how to exercise the rights contemplated under the Act.

Hence, this Commission recommends for including matters relating to RTI in the training curriculum of the SIRD and GMC for imparting training to the functionaries of local Self Government and their officers both in rural and urban areas. Commission also recommends for including the RTI curriculums in the school curriculum for class XI and XII students or at the college level.

CHAPTER - 3

Orders passed by Chief Information Commissioner of the Sikkim Information Commission during the Year 2017-2018

ORDER

Appeal No. 03/SIC/2017

Date: 20/01/2017

Appellant : Shri. Deependra Sharma, South Sikkim.

Vs.

State Public Information Office: Rural Management & Development Department,
Jorethang - Respondent.

Seen the application dated 20/01/2017 under Right to Information Act, 2005. Notice of hearing to be issued to the concerned State Public Information Officer for appearance for hearing on 18/04/2017. Meanwhile the State Public Information Officer to file Counter statement if any in terms of Regulation 10 of the Sikkim Information Commission (Management) Regulations, 2008 on or before 10/04/2017.

A copy of the Counter statement to be made available to the applicant also. The hearing will be taken up on 18/04/2017.

A copy of application dated 20/01/2017 alongwith its annexure to be served to the State Public Information Officer with a direction to the State Public Information Officer and the applicant to appear for hearing on 18/04/2017.

ORDER

Date: 18/04/2017

Appellant : Shri. Deependra Sharma, Lower Rangang, South Sikkim.

Vs.

State Public Information Office: - Rural Management & Development Department-
Respondent.

Appellant Shri. Deependra Sharma – Present.

Shri. Devi Pd. Gurung, S.E. (S/W), State Public Information Officer accompanied by Shri. S. K. Rajalim, A.E, Assistant State Public Information Officer – Present.

The State Public Information Officer declared before the Commission that he has provided a copy of DPR and attested copy of Power of Attorney to the Appellant as sought for by the Appellant vide his Application under Form - 'A' dated 17/08/16 and in terms of the Order of the First Appellate Authority dated 21/11/16. The Appellant however is not satisfied with regard to the genuineness of the soft copy hence he wanted the State Public Information Officer/ Assistant State Public Information Officer to authenticate the soft copy of CD by putting his signature. The State Public Information Officer/ Assistant State

Public Information Officer has agreed and accordingly certified the CD as genuine and authentic.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 20/01/17 is therefore disposed of with above observation.

The Order of the First Appellate Authority dated 21/11/16 is accordingly upheld.

ORDER

Appeal No. 06/SIC/2017

Date: 21/02/2017

Appellant : Shri. Santa Bir Gurung, East Sikkim.

Vs.

State Public Information Office: Horticulture & Cash Crops Development Department - Respondent.

Seen the application dated 21/02/2017 under Right to Information Act, 2005. Notice of hearing to be issued to the concerned State Public Information Officer for appearance for hearing on 20/04/2017. Meanwhile the State Public Information Officer to file Counter statement if any in terms of Regulation 10 of the Sikkim Information Commission (Management) Regulations, 2008 on or before 30/03/2017.

A copy of the Counter statement to be made available to the applicant also. The hearing will be taken up on 20/04/ 2017.

A copy of application dated 21/02/2017 alongwith its annexure to be served to the State Public Information Officer with a direction to the State Public Information Officer and the applicant to appear for hearing on 20/04/2017.

ORDER

Date: 20/04/2017

Appellant : Shri. Santa Bir Gurung, Lower Burtuk, East Sikkim.

Vs.

State Public Information Office: - Horticulture & Cash Crops Development Department - Respondent.

Appellant Shri. Santa Bir Gurung – Present.

Shri. M. K. Subba, Jt. Director/ State Public Information Officer – Present.

Taking cognizance of the Petition dated 21/2/17 under section 19 (3) of the Right to Information Act' 2005 submitted by the Appellant, this Commission is of opinion that there is delay of almost one year to provide the information to the Appellant which he has sought for vide Form - 'A' . It is also further observed that the information which he has

provided vide letter no. 182/RTI/HCCDD dated 30/03/17 is incomplete, the Appellant is therefore not satisfied with the details made available to him. The Appellant's submission is to provide him with detail supporting documents pertaining to expenditure of Rs. 874.00 lakhs. This Commission further observed that the First Appellate Authority of the concerned Public Authority is not aware of his responsibilities as envisaged under the Right to Information Act' 2005 or he is pretending to be ignorant about his responsibilities. The Commission after going through details of annexure including Appeal Petition dated 22/11/16 to the First Appellate Authority is of opinion that the officer concerned designated as First Appellate Authority under section 19 (1) of the Right to Information Act' 2005 is not fit to perform the duties of First Appellate Authority, the Commission therefore recommend for suitable replacement of the present incumbent. The replacement is relevant in order to upheld the right of a citizen conferred by the Right to Information Act' 2005. The negligence on the part of the First Appellate Authority in the instant case have delayed the whole proceeding with the result the Appellant's fundamental right have been seriously infringed.

The delay to provide the information for almost one year by the State Public Information Officer is in contravention to Section 7 of the Right to Information Act' 2005 hence this Commission found it deemed fit to invoke section 20 of the Right to Information Act' 2005 and accordingly impose a penalty of Rs. 2000/- for the delay to the State Public Information Officer, the penalty amount will be deducted from the salary of the State Public Information Officer. Meanwhile the State Public Information Officer as assured to provide the detail documents of Rs. 874.00 lakhs to the Appellant within one week i.e. by 28/04/17 positively in default the penalty imposed on the State Public Information Officer will be reviewed and accordingly enhanced in terms of the provisions of the Right to Information Act' 2005.

The Appeal Petition dated 21/02/17 under section 19 (3) of the Right to Information Act' 2005 is accordingly disposed of for compliance of all concerned.

Copy of this order also to be made available to the Head of the Public Authority concerned for needful action.

ORDER

Appeal No. 05/SIC/2017

Date: 30/01/2017

Appellant : Shri. Sonam Tsewang & Palden Pintso Bhutia, East Sikkim.

Vs.

State Public Information Office: Transport Department (Motor Vehicle Division) -
Respondent.

Seen the application dated 30/01/2017 under Right to Information Act, 2005. Notice of hearing to be issued to the concerned State Public Information Officer for appearance for hearing on 10/04/2017. Meanwhile the State Public Information Officer to file Counter statement if any in terms of Regulation 10 of the Sikkim Information Commission (Management) Regulations, 2008 on or before 25/03/2017.

A copy of the Counter statement to be made available to the applicant also. The hearing will be taken up on 10/04/ 2017.

A copy of application dated 30/01/2017 along with its annexure to be served to the State Public Information Officer with a direction to the State Public Information Officer and the applicant to appear for hearing on 10/04/2017.

ORDER

Date: 10/04/2017

Appellant : Shri. Sonam Tsewang Bhutia & Shri. Palden Pintso Bhutia, Gangtok, East Sikkim.

Vs.

State Public Information Office: - Transport Department (Motor Veh. Div.) - Respondent.
Appellant Shri. Sonam Tsewang Bhutia & Shri. Palden Pintso Bhutia – Present.

Shri. J. B. Thapa, RTO cum Assistant State Public Information Officer & Shri. R. Dong, State Public Information Officer – Present.

The Appellant submitted before the Commission that information pertaining to para 3 and 4 of their Application under Form - 'A' dated 21/11/16 are yet to be furnished by the State Public Information Officer. The State Public Information Officer apprised the Commission that all information are ready and will be handed over to them immediately. The Commission directs the State Public Information Officer to provide the information within a week time without fail.

This Commission accordingly dispose of the Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 30/01/17 for compliance of all concerned.

ORDER

Appeal No. 04/SIC/2017

Date: 31/01/2017

Appellant : Shri. Anil Gurung, South Sikkim.

Vs.

State Public Information Office: Roads & Bridges Department, South District, Namchi- Respondent.

Seen the application dated 24/01/2017 under Right to Information Act, 2005. Notice of hearing to be issued to the concerned State Public Information Officer for appearance for hearing on 25/04/2017. Meanwhile the State Public Information Officer to file Counter statement if any in terms of Regulation 10 of the Sikkim Information Commission (Management) Regulations, 2008 on or before 10/04/2017.

A copy of the Counter statement to be made available to the applicant also. The hearing will be taken up on 25/04/ 2017.

A copy of application dated 24/01/2017 along with its annexure to be served to the State Public Information Officer with a direction to the State Public Information Officer and the applicant to appear for hearing on 25/04/2017.

ORDER

Date: 25/04/2017

Appellant : Shri. Anil Gurung, Sadam, South Sikkim.

Vs.

State Public Information Office: - Roads & Bridges Department (South District, Namchi) - Respondent.

Appellant Shri. Anil Gurung – Present.

Ms. Milan Kumari Pradhan, Superintendent Engineer (South)/State Public Information Officer accompanied by Shri. T. T. Kazi, Divisional Engineer/ Assistant State Public Information Officer & Shri. Santosh Kr. Rai, Assistant Engineer – Present.

While going through the details of the Appeal Petition under section 19 (3) of the Right to Information Act' 2005 along with its annexure it is revealed that the Appellant without going through the proper procedure as required under section 19 (1) of the Right to Information Act' 2005 directly preferred to move his Appeal Petition under section 19 (3) of the Right to Information Act' 2005 before this Commission. The Commission therefore is of opinion that the Appellant should move his Petition under section 19 (1) of the Right to Information Act' 2005 before the First Appellate Authority of the concerned Public Authority for further adjudication of the matter. The Appeal Petition dated 24/01/17 under section 19 (3) of the Right to Information Act' 2005 is therefore dismissed as immature. Meanwhile the Registrar of the Commission should strictly follow and comply with the executive directives of this Commission issued from time to time to thoroughly verify and scrutinize all Appeal Petition under section 19 (3) of the Right to Information Act' 2005 in terms of the provisions of Sikkim Information Commission (Management) Regulation 2008 and only such cases which are maintainable under the Regulation to be cleared for further consideration under section 19 (3) of the Right to Information Act' 2005. Similarly it is also the duty of the State Public Information Officer to advise and guide the Applicant regarding the proper procedure of the Right to Information Act in order to ensure that unnecessary delay may not be caused to dispose of the R.T.I. applications. The Applicant should also know the procedure laid down in the Right to Information Act' 2005 while seeking information from the Public Authority. The Applicant has the liberty to seek advice from the Registrar, Sikkim Information Commission in case of any difficulty or doubt in regard to filing of the Application under Right to Information Act' before the State Public Information Officer/ Appellate Authority.

This order may be available to all concerned for compliance including Registrar of the Sikkim Information Commission.

ORDER

Appeal No. 38/SIC/2016

Date: 25/02/2017

Appellant : Shri. Prem Raj Gurung, Namchi, South Sikkim.

Vs.

State Public Information Office: Water Resources & River Development Department -
Respondent.

Appellant Shri. Prem Raj Gurung – Present.

Shri. J. B. Basnett, Superintendent Engineer (N/E), State Public Information Officer and
Shri. T. T. Kazi, Divisional Engineer – Present.

On perusal of the memo no. 11/ 545/WR&RDD/2016-17/51 dated 07/10/16 this Commission is satisfied that the State Public Information Officer concerned after receiving Application under Form - 'A' dated 04/04/16 referred the matter to Divisional Engineer, South from the State Public Information Officer on 06/04/16 through Post Office however the Divisional Engineer (S) concerned has refused to accept the fact that any such Application from the State Public Information Officer has been received. This Commission is however not inclined to accept such explanation or clarification from the Divisional Engineer (S) on the ground that the matter is solely of internal official arrangement between the State Public Information Officer and the Assistant State Public Information Officer of the same Public Authority. In the process the Applicant has to go through unnecessary difficulties and long delay to receive information sought for by him. This Commission therefore direct the office of the Divisional Engineer, South, Water Resources & River Development Department, Namchi, South Sikkim to pay Rs. 3000/- (Rupees Three Thousand) only as compensation to the Appellant towards unwarranted difficulties faced by the Applicant and delay in terms of under section (19) (8) (b) of the Right to Information Act' 2005.

As regard to the Order of the First Appellate Authority dated 11/06/16 Para III this Commission is of opinion that the Public Authority/ State Public Information Officer to properly explain in writing why information/ Documents sought for by the Appellant is not traceable in the official record. If these documents are actually not traceable due to some genuine reasons the State Public Information Officer to specify the reasons and difficulties to provide the same to the Appellant. This Commission therefore will not accept the declaration of the State Public Information Officer/ Assistant State Public Information Officer that the information sought for by the Appellant under Form - 'A' dated 04/04/16 para XIV, XVI and XVII is not traceable. The State Public Information Officer/ Assistant

State Public Information Officer to provide the reasons of not traceable to the Appellant in writing within fortnight period with copy to this Commission.

The Order of the First Appellate Authority dated 11/08/16 with regard to Para III is set aside.

The Application dated 04/04/16 under Form - 'A' is disposed of accordingly for compliance of all concerned.

ORDER

Appeal No. 54/SIC/2016

Date: 09/03/2017

Appellant : Shri. Sancha Bdr. Subba, Samdung, West Sikkim.

Vs.

State Public Information Office: Department of Personnel, Adm. Reforms, Trg & Public Grievances

- Respondent.

Appellant Shri. Sancha Bdr. Subba accompanied by his Sr. Counsel Shri. Bhaskar Raj Pradhan, Ms. Pema Yeshey, Advocate and Ms. Sonam Choden, Advocate – Present.

Shri. P. Ongdi Bhutia, Joint Secretary/ State Public Information Officer, DOPT accompanied by Shri. Anil Kr. Bagdas, Under Secretary, DOPT – Present.

Shri. Prem Bdr. Subba, Third Party accompanied by his Counsel Ms. Sabina Chettri – Present.

I have carefully perused the Appeal Petition dated 21/12/16 and heard the submission made by Sr. Counsel representing the Appellant including numbers of citations and judgments of the Central Information Commission, Hon'ble High Court and Hon'ble Supreme Court in support of his argument that the information which he has sought for before the State Public Information Officer is not a personal information of Shri. Prem Bdr. Subba, the then Principal Chief Engineer cum Secretary who is the third party in the instant case as there is larger public interest which justifies the disclosure of such information. He has further submitted that declaration of the information will not amount to invasion of privacy of an individual. The learned Sr. Counsel also submitted that corruption is the immediate concern and it is the duty of the public to eradicate the same, it is the inherent right of every citizen to know every public act and disclosure of information with regard to a public officer must be rule and secrecy an exception which is justified only where the strictest requirement of public interest so demands. In order to justify the larger public interest, the Sr. Counsel of the Appellant interalia referred para 610 of Hon'ble Supreme Court judgment in the matter of State of Karnataka Vs. Selvi J. Jayalalitha & others which reads as follows:- “Every citizen has to be a partner in this sacrosanct mission, if we aspire for a stable, just and ideal social order as envisioned by our forefathers and fondly cherished by the numerous self-effacing crusaders of a free and independent Bharat, pledging their countless sacrifices and selfless commitments for such cause”. The Sr. Counsel also referred relevant section of the evidence Act in order to

justify the disclosure of the information relating to assets declared by the then public Government servant under section 19 of the Sikkim Government Service Rule 1981. The learned Sr. Counsel also pointed out before the Commission that the preliminary enquiry report based on the Complaint by Shri. Sancha Bdr. Subba against Shri. Ramesh Sharma and Shri. Prem Bdr. Subba dated 07/03/16 particularly with reference to para 4 and 5 of page 2 and para 4 of page 3. Wherein the Investigating officer has recorded that indulging in investment in stock market/ trading during 2011-12 by the Government Servant/ Third Party amounts to violation of 17 (I) of Sikkim Government Service Conduct Rule 1981 and hence recommend for appropriate action against the officer concerned.

The learned Counsel representing the third party has once again before the Commission objected the declaration of information held by the State Public Information Officer Public Authority/ DOPT under section 19 of the Sikkim Government Conduct Service Rule 1981 on the ground that the information held by the Public Authority is a personal information hence exempted from declaration under section 8 (1) (j) of the Right to Information Act' 2005.

This Commission on hearing the submission made by the respective learned Counsels is of opinion that the information of declaration of Annual Assets and Liabilities under section 19 of the Sikkim Government Service Rule 1981 before the Public Authority is a personal information and is to be treated as confidential hence declaration of such information will amount to invasion of privacy of an individual concerned. It is a mandatory duty of a Government Servant to declare annually his assets & liabilities under the Service Rule. The Government will accordingly carry out internal assessment of the declaration. The learned Sr. Counsel of the Appellant has failed to satisfy and convince the Commission that there is a prima facie case of corruption against the then Government Servant/ third party, the document he has placed before the Commission being only enquiry report and various Complaint of corruptions made before the Government Authority but there is no any direct evidence to show that his Complaint has been accepted by any Competent Authority including the Court nor any proceeding of corruption has been initiated. This shows that the Appellant is totally relying on the declaration of assets & liabilities held by the Public Authority under section 19 of the Sikkim Government Service Rule 1981 in order to build up his case of corruption against the third party. The Commission rather advise the Sr. Counsel of the Appellant to first initiate action against erring then Government servant/ third party before the competent Authority and substantiate his claim of corruption so that this Commission could thereafter consider his prayer for the declaration of the information concerning the third party in terms of the provisions of Right to Information Act' 2005.

Considering all above points of submission including legal aspect of the matter, this Commission is inclined to declare that the information held by the Public Authority/ State Public Information Officer under section 19 of the Sikkim Government Service Conduct Rule 1981 is a personal information of then Government servant/ third party. There is no any public activity or larger public interest to declare the information which would otherwise amount to invasion of the privacy of an individual as contemplated under section 8 (1) (j) of the Right to Information Act' 2005.

The Commission therefore dismiss the Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 21/12/16 and accordingly upheld the decision of the First Appellate Authority dated 10/09/16. Parties to be informed accordingly.

ORDER

Appeal No. 55/SIC/2017

Date: 11/03/2017

Appellant : Shri. Nagendra Bikram Gurung, Burtuk, East Sikkim.

Vs.

State Public Information Office: - Human Resource & Dev. Department - Respondent.
Appellant Shri. Nagendra Bikram Gurung – Present.

Shri. P. S. Subba, Joint Director/ State Public Information Officer accompanied by Shri. P. M. Khanal, Dy. Director – Present.

Despite of hypothetical information sought for from the Public Authority, the State Public Information Officer has provided all the information sought for by the Appellant vide Form - 'A' dated 21/06/16 including the lists of all the appointed teachers and the name of book writers. The Appellant has also acknowledged that he has received the lists of all the appointed teachers and book writers. The information required by the Appellant with regard to 1, 2, 3 and 4 of his Application under Form - 'A' before the State Public Information Officer is not maintainable under the Right to Information Act' 2005 as the "Information" defined under section 2 of the Right to Information Act' 2005 does not include information relating to hypothetical nature.

The Commission therefore is of opinion that there is nothing further to consider the request of the Appellant hence accordingly dismiss the Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 19/11/16. The Order of the First Appellate Authority dated 31/08/16 stands upheld.

Parties to be informed accordingly.

ORDER SHEET

Appeal No. 57/SIC/2016

Date: 14/03/2017

Appellant : Shri. Palden Pintso Bhutia, East Sikkim.

Vs.

State Public Information Office: - Transport Department (Motor Veh. Division) - Respondent.

Appellant Shri. Palden Pintso Bhutia – Present.

Shri. Dupka Sherpa, State Public Information Officer accompanied by Shri. J. B. Thapa, Assistant State Public Information Officer & Ms. Sangita Chettri, Law Officer, Transport Department – Present.

The Appellant submitted before the Commission that he is satisfied with the information made available to him relating to para 1 to 9 of his Application under Form - 'A' dated 10/08/16 however he is not satisfied with the information provided to him by the State Public Information Officer with regard to para 10. The State Public Information Officer has since declared that a conductor license is issued under Central Motor Vehicle Act 1988 and the rule made there under, this Commission therefore is of opinion that after the extension and enforcement of Central Motor Vehicle Act 1988 and its rule in the State of Sikkim, the issue regarding old laws of Sikkim concerning Motor Vehicle Department protected by Article no. 371 F stands repealed. The State Public Information Officer may however provide proper information to this effect to the Appellant.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 26/12/16 is accordingly disposed of with above observation for compliance of all concerned.

ORDER

Appeal No. 01/SIC/2017

Date: 18/03/2017

Appellant : Shri. Nar Bahadur Gurung, West Sikkim.

Vs.

State Public Information Office: - UD & HD - Respondent.

Appellant Shri. Nar Bahadur Gurung – Present.

Shri. Chodak Bhutia, State Public Information Officer accompanied by Shri. S. B. Subba, Bazar Officer, UD & HD – Present.

The Appellant informed the Commission that he is satisfied with some of the information provided by the State Public Information Officer however with regard to the declaration of the State Public Information Officer of Supermarket allottees which is more than 20 years old hence information sought for are not available in the office record is not found satisfactory similarly he has not been provided names of the beneficiaries who has identification certificate. The State Public Information Officer produced a Notification of 2014 and also declared before the Commission that only after 2014 production of COI/SSC is made mandatory as such he will be able to provide the details of COI/SSC only those allottees who have been provided shops allotment after 2014.

1. This Commission after considering the submission made by the Appellant and the State Public Information Officer hereby directs the State Public Information Officer to provide details of COI/SSC of those beneficiaries/ allottees who have been provided shop allotment after 2014 within 15 days.

2. The lists of beneficiaries who have been allotted shops in the Supermarket more than 20 years to be made available to the Appellant within one month. If the record of the same is not available in the office a satisfactory reply along with proper justification to be provided to the Appellant, similarly the declaration of the State Public Information Officer of the record of more than 10 years is not easily available is not accepted. The State Public Information Officer in this connection also to provide proper justification to the Appellant why these records are not maintained properly in the official record.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 is disposed of with above observations for compliance of all concerned.

ORDER

Appeal No. 51/SIC/2016

Date: 21/03/2017

Appellant : Shri. Hangu Lachenpa, North Sikkim.

Vs.

State Public Information Office: - Transport Department (Motor Veh. Div.) - Respondent.

Appellant Shri. Hangu Lachenpa – Present.

Shri. R. Dong, State Public Information Officer accompanied by Ms. B. Dhakal, Assistant State Public Information Officer – Present.

Shri. Roshan Gurung as Third Party – Present.

The State Public Information Officer submitted before the Commission that the original file with documents of the details regarding appointment of Shri. Roshan Gurung and the manner of examination or interview is carried out is not traceable in the personal file received from the Home Department. The State Public Information Officer also further confirmed that based on the informations made available to him by Shri. Roshan Gurung vide his memo no. 21/MV/RCP dated 14/07/16 he has declared before the Commission that the appointment of Shri. Roshan Gurung is being carried out as per the Government norms. This Commission therefore is of opinion that in absence of proper record of Shri. Roshan Gurung's initial appointment, the declaration of the State Public Information Officer is considered as official and authentic. Similarly with regard to information 8 of the Appellant's Application under Form - 'A' dated 01/07/16, the Commission accept the submission of the State Public Information Officer and the Third Party that the information is private and personal of the Third Party hence the same is exempted from disclosure under section 8 (1) (j) of the Right to Information Act' 2005. The Appellant in this regard has also failed to justify that larger public interest is involved to disclose the said information as prayed for by the Appellant.

Shri. Roshan Gurung, Third Party specifically opposed declaration of information sought for by the Appellant on the ground that the information related to personal information.

The Appeal Petition dated 02/09/16 under section 19 (3) of the Right to Information Act' 2005 is disposed of with above observation for information and compliance of all concerned.

ORDER

Appeal No. 39/SIC/2016

Date: 28/03/2017

Appellant : Shri. Sisher Tewari, South Sikkim.

Vs.

State Public Information Office: - Forest, Env. & Wildlife Management Department (South) - Respondent.

Appellant Shri. Sisher Tewari – Present.

Shri. R. P. Sharma, DFO (SOUTH), State Public Information Officer – Present.

The Appellant has confirmed that he has received all the informations sought for by him through his Application under Form - 'A' dated 08/03/16 however he has raised issue regarding validity of Panchayat Certificate dated 17/06/15. This Commission is of opinion that as far as validity of the Certificate is concerned the Applicant should move to the appropriate authority for confirmation of the same.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 03/08/16 is disposed of with above observation for information and compliance of all concerned.

ORDER

Appeal No. 47/SIC/2016
30/03/2017

Date:

Appellant : Shri. Subash Chandra Subba, Soreng Bazaar.

Vs.

State Public Information Office: - Land Revenue & Disaster Management Department (Soreng) West Sikkim - Respondent.

On behalf of the Appellant his Counsel Shri. Ashok Subba – Present.

Shri. Gaayas Pega, SDM, Soreng, State Public Information Officer – Present.

The learned Counsel of the Appellant submitted before the Commission that he has received all the informations except the information provided by the State Public Information Officer in para D (3) of the Application under Form - 'A' dated 12/04/16 is found not clear and specific. The learned Counsel prayed for issue of a fresh copy of the said document duly certified by the State Public Information Officer. The State Public

Information Officer ensured the Commission that he will provide the same to the Appellant.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 30/08/16 is accordingly disposed of with above observations for compliance of all concerned.

ORDER

Appeal No. 50/SIC/2016

Date: 06/04/2017

Appellant : Shri. Pempa T Shenga & Shri. Dorjee Pakhrin, Sang, East Sikkim.

Vs.

State Public Information Office: - SIMFED- Respondent.

Appellant Shri. Pempa T Shenga & Shri. Dorjee Pakhrin accompanied by their Counsel Shri. Jushan Lepcha – Present.

Shri. Kailash Rai, State Public Information Officer accompanied by his Counsel Ms. Sashi Rai – Present.

With regard to NIT the State Public Information Officer has declared before the Commission in writing that there is some mistake. The State Public Information Officer submitted that only Expression of Interest (EOI) called through official website www.simfed.in. Advertisement of EOI was never published. The State Public Information Officer to provide a certified copy of the information with regard to the declaration of EOI which was never published to the Appellant.

Regarding the issue of the State Public Information Officer replying on behalf of the First Appellate Authority without conducting any hearing by the First Appellate Authority as required under section 19 (1) of the Right to Information Act' 2005 against the Appeal Petition dated Nil raised by the Appellant. The State Public Information Officer to explain and justify his action to reply in the form of Order on behalf of the First Appellate Authority. The submission of the State Public Information Officer declaring that the First Appellate Authority was out of station hence he has no option except to sign the reply on behalf of the First Appellate Authority is found not justified. The State Public Information Officer to submit his proper explanation and justification on or before 10/04/17. The matter will be accordingly taken up for hearing on 10/04/17.

Parties to appear accordingly.

ORDER

Date: 10/04/2017

Appellant : Shri. Shri. Pempa T Shenga & Shri. Dorjee Pakhrin, Sang, East Sikkim.

Vs.

State Public Information Office: - SIMFED- Respondent.

Appellant Shri. Pempa T Shenga & Shri. Dorjee Pakhrin accompanied by their Counsel Shri. Jushan Lepcha – Present.

Shri. Kailash Rai, State Public Information Officer & Shri. Jiwan Sharma, First Appellate Authority, SIMFED accompanied by their Counsels Ms. Sashi Rai & Ms. Sanju Gupta – Present.

Vide Counter Statement dated 08/04/17 the State Public Information Officer has made Annexures regarding attendance of first hearing dated 10/04/16 and judgment order dated 02/05/16 in reply to the explanation sought for by the Commission's Order dated 06/04/17. Shri. Jiwan Sharma, General Manager, First Appellate Authority personally appeared and confirmed that the hearing was actually carried out on 02/05/16 and accordingly judgment was delivered. The First Appellate Authority also declared that he has directed the State Public Information Officer to provide relevant information as sought for by the Applicant within fifteen days from 02/05/16. The Learned Counsel for the Appellant submitted that the hearing was actually never taken place on 02/05/16 nor received the judgment order dated 02/05/16 of the First Appellate Authority however he has received only reply from the State Public Information Officer about the directive of the First Appellate Authority. Further he has submitted that the First Appellate Authority has failed to follow the procedure laid down by the Right to Information Act' 2005 to deliver the judgment and provide the copy of the same to the Appellant. The First Appellate Authority has accepted his mistake to provide the order of the judgment to the parties and assured that henceforth proper hearing will be conducted duly providing sufficient time to the Appellant and to provide copy of the order against the hearing will be made available to the Appellant in terms of the provisions of the Right to Information Act' 2005. This Commission while accepting the submission of the First Appellate Authority directed the Head of the Public Authority to ensure that any responsibilities assigned to an officer of the Public Authority under R.T.I. Act 2005 should carry out his proper responsibilities strictly and seriously in accordance with the provisions of the Right to Information Act' 2005 so that the mandatory right of a citizen may not be infringed due to negligence and carelessness of the officer concerned.

The Commission on perusal of the Counter Statement dated 21/10/16 of the State Public Information Officer with regard to Expression of Interest, accept the declaration of the State Public Information Officer and accordingly direct the State Public Information Officer to provide certified copy of the information with regard to the declaration of EOI to the Appellant in accordance to this Commission's Order dated 06/04/17.

The Appeal Petition dated 20/08/16 under section 19 (3) of the Right to Information Act' 2005 is disposed of accordingly with above observation for compliance of the all concerned.

ORDER

Appeal No. 1/SIC/2017

Date: 28/04/2017

Appellant : Shri. Nagsen Krishna Sonere, Maharashtra State.

Vs.

State Public Information Office: - Home Department, Social Welfare Department, Police Department - Respondent.

Ms. Ambika Subba, Dy. S.P./P.H.Q., State Public Information Officer accompanied by Ms. Geeta Gazmere, Law Officer on behalf of the Police Department – Present.

Shri. A. Pradhan, Addl. Secretary, State Public Information Officer, Welfare Department accompanied by Ms. Yarsa Lachungpa, Law Officer – Present.

State Public Information Officer, Home Department – Absent.

The Commission is satisfied with regard to the reply dated 28/03/17 of the State Public Information Officer, Police Department against the Complaint lodged by the Complainant vide Application dated 09/02/17 under section 18 of the Right to Information Act' 2005. The State Public Information Officer and the Learned Counsel informed the Commission that the Police Department has complied with all the directives of the Sikkim Information Commission with regard to implementation of section 4 of the Right to Information Act' 2005.

The submission made by the Social Justice Emp. & Welfare Department vide letter no. 145/SJE&WD/ADM/16-17 dated 29/03/17 in reply to Complainant's letter dated 09/02/17 appears satisfactory however the State Public Information Officer/ Law Officer informed the Commission that the Department has not uploaded complete information in their website. The State Public Information Officer has undertaken to complete the process of uploading of the requisite information as required under section 4 of the Right to Information Act' 2005 within a week time. This Commission on consideration of the undertaken furnished by the Public Authorities and the details in writing made available to the Commission through their Counter Statements direct the Registrar/ Secretary, Sikkim Information Commission to provide all the requisite information along with this Order to the Complainant Shri. Nagsen Krishna Sonere, President, Ambedkar Center for Justice and Peace, Mumbai, Maharashtra State.

The Complaint Application under section 18 of the Right to Information Act' 2005 is disposed of with above observation for compliance of all concerned.

ORDER

Appeal No. 31/SIC/2016

Date: 01/05/2017

Appellant : Shri. Santosh Adhikari.

Vs.

State Public Information Office: - Commercial Tax Division (Finance, Rev. & Expenditure Department) - Respondent.

Appellant Shri. Santosh Adhikari – Present.

Shri. Manoj Rai, Jt. Commissioner/ State Public Information Officer – Present.

M/S Tiwari Enterprises, Third Party accompanied by his Counsel Shri. Manish Jain - Present.

Sufficient opportunity has been given to the Appellant to justify his claim that the informations sought for by him vide Application under Form - 'A' dated 19/03/16 has larger public interest therefore these informations are not personal information and there is no invasion of privacy of the individual as contemplated under section 8 (j) of the Right to Information Act' 2005. The Learned Counsel for the Third Parties submitted that all the informations sought for by the Appellant are confidential in nature of the Third Parties hence declaration of these informations will be in violation of trade/ commercial secret of the Third Parties which is otherwise protected under section 11 (1) of the Right to Information Act' 2005. The Commission wanted to know whether all the informations sought for by the Appellant are relating to the Sikkim Value Added Tax Act' 2005, the State Public Information Officer informed the Commission that all the informations for disclosure by the Appellant is related to the Sikkim Value Added Tax Act' 2005. The State Public Information Officer also further informed the Commission that in terms of section 85 (2) of the Sikkim Value Added Tax Act' 2005 there is no any suit or proceeding pending against the Third Parties and officers of the State Government relating to the subject matter.

The Appellant since failed to justify involvement of any larger public interest or activity for disclosure of the informations which he has sought for before the State Public Information Officer vide his Application dated 19/03/16, the Commission therefore is of opinion that the disclosure of these informations will amounts to infringement of Third Parties rights protected under the Right to Information Act' 2005. The Commission hence on careful consideration of the submission made by the State Public Information Officer and the Learned Counsel of the Third Parties reject the Appeal of the Appellant dated 11/07/16 under section 19 (3) of the Right to Information Act' 2005 and accordingly dismiss the same.

The Order of the First Appellate Authority dated 03/06/16 is upheld.

Copy of this Order to be made available to all concerned for compliance.

ORDER

Appeal No. 07/SIC/2016

Date: 31/05/2017

Appellant : Shri. Prem Raj Gurung, Namchi, South Sikkim.

Vs.

State Public Information Office: - Human Resource & Dev. Department - Respondent.

Appellant– Shri. Prem Raj Gurung - Present.

Shri. B. P. Kharel, Addl. Chief Engineer/ State Public Information Officer – Present.

The instant Appeal Petition is in connection with the Order of this Commission dated 02/08/16, the Public Authority notwithstanding of this Commission's Order dated 02/08/16 unnecessarily prolonged the whole issue and delayed to provide the information to the Appellant which he has sought for vide Application under Form - 'A' dated 05/05/16 on depositing of Rs. 7904/- under the relevant Budget Head. The State Public Information Officer submitted before the Commission that he has no difficulties to provide all the information as sought for by the Appellant. This Commission therefore directs the State Public Information Officer to provide all the information by 10/06/17 positively. All chargeable cost of that information beyond Rs. 7904/- to be provided to the Appellant free of cost. The matter will be reviewed and action as contemplated under section 20 of the Right to Information Act' 2005 will be initiated if any further delay to provide the information by the State Public Information Officer/ Public Authority.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 07/03/17 is disposed of with above observation for compliance of all concerned.

ORDER

Appeal No. 12/SIC/2017.

Date: 02/06/2017

Appellant : Shri. Tashi Thendup Bhutia, Mangan, North Sikkim.

Vs.

State Public Information Office: - Horticulture & Cash Crops Development Department (North Sikkim).

Appellant– Shri. Tashi Thendup Bhutia - Present.

Shri. T. T. Lepcha, Addl. Director, HCCD Department (North)/ State Public Information Officer accompanied by Shri. M. K. Subba, Jt. Director, HCCDD, Gangtok/ State Public Information Officer & Shri. S. Bhutia, Dy. Director, HCCDD (North) – Present.

The State Public Information Officer, North informed the Commission that all the requisite information as sought for by the Appellant in Form - 'A' dated 26/10/16 is ready and will be handed over to the Appellant after preparing complete statement of the same. This Commission is however not satisfied with the submission made by the State Public Information Officer North on the ground that there is already a delay of more than six

months to provide the information to the Appellant after he has filed his Application before the State Public Information Officer on 26/10/16. Moreover the record shows that the State Public Information Officer (Gangtok HCCD Department) has informed the State Public Information Officer, North then Jt. Director, HCCD Department vide memo no. 154/Horti-RTI dated 26/10/16 to make available all the information to his Office within 15 days for onward submission to the Appellant but unfortunately without any prima facie reason the State Public Information Officer, North has failed to provide the information with the result there is delay of more than six months which indeed is in contravention to under section 7 (1) of the Right to Information Act' 2005. The State Public Information Officer, North has further failed to justify before the Commission his negligence/ delay to provide the information in terms of the provisions of the Right to Information Act' 2005 to the Appellant there by infringing the right of a Citizen as contemplated under the Right to Information Act' 2005. This Commission therefore is inclined to invoke under section 20 (1) of the Right to Information Act' 2005 and accordingly impose a fine of Rs. 2000/- to the State Public Information Officer (North). Meanwhile all information sought for by the Appellant vide Application under Form - 'A' dated 26/10/16 to be made available to the Appellant immediately. Both the State Public Information Officers have assured the Commission that all the information are ready and will be made available to the Appellant by today itself.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 02/05/17 is disposed of with above observation for compliance of all concerned.

ORDER

Appeal No. 11/SIC/2017.

Date: 06/06/2017

Appellant : Shri. Jagdish Cintury, Central Pandam, Rangpo.

Vs.

State Public Information Office: - Forest, Env. & Wildlife Management Department .

Appellant – Shri. Jagdish Cintury - Present.

Shri. Blen T. Targain, DFO/ State Public Information Officer accompanied by Shri. Bijoy Upreti, ACF/ Assistant State Public Information Officer - Present.

The Commission have observed that notwithstanding the clear cut order of the First Appellate Authority (FEWMD) dated 14/03/17 the State Public Information Officer has failed to provide full and complete information particularly with regard to the information 2 of the Appellant's Application before the State Public Information Officer dated 23/11/16. The State Public Information Officer however assured the Commission that he will provide the requisite information to the Appellant within two weeks time i.e. by 21/06/17 as he has to collect the details from Districts. The Appellant has since no objection to allow further time of two weeks to the State Public Information Officer/ Public Authority, the prayer of the State Public Information Officer is granted. The State Public Information Officer to provide the information relating to para 2 of the Application dated 23/11/16 concerning 'Measurement Book' etc. to the Appellant by 21/06/17 positively.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 13/05/17 is accordingly disposed of with above observation for compliance of all concerned.

ORDER

Appeal No. 13/SIC/2017

Date: 23/06/2017

Appellant : Ms. Niki Lepcha, Namchi, South Sikkim.

Vs.

State Public Information Office: - Rural Management & Development Department, Gangtok, Sikkim.

Appellant – Ms. Niki Lepcha - Present.

Shri. Bhupendra Kotari, State Public Information Officer cum Superintendent Engineer representing the issue relating to para VI of the Appeal Petition dated 15/5/17- Present.

State Public Information Officer cum Superintendent Engineer concerning para IV and VIII of the Appeal Petition dated 15/5/17 – absent. However Shri. P. M. Gurung, Assistant State Public Information Officer cum Divisional Engineer informed the Commission that a very close relative of the State Public Information Officer died hence he has not been able to appear personally.

Shri. P. M. Gurung, Assistant State Public Information Officer cum Divisional Engineer accompanied by his subordinate officer Shri. Santosh Singh, Assistant Engineer – Present.

Seen the Counter Affidavit filed by the State Public Information Officer (PMGSY), Rural Management & Development Department vide memo no. 26/PMGSY/RM&DD/HQ dated 16/06/2017. The copy of the same was made available to the Appellant only today. The State Public Information Officer concerned have since declared before the Commission that action has been taken to issue the NIT in accordance with the provisions of the Sikkim Financial Rule hence this Commission has nothing to add further on the declaration. The NIT declaration has been therefore presumed as correct information and accordingly made available to the Appellant. Notwithstanding Order of the First Appellate Authority to the Appellant dated 22/04/17 to provide information by 1/05/17, the State Public Information Officer/ Assistant State Public Information Officer concerned has failed to provide the information as directed hence there is a delay of almost two months. This Commission therefore is inclined to invoke section 20 (1) of the Right to Information Act' 2005 and accordingly penalize Rs. 2500/- to be paid by the State Public Information Officer/ Assistant State Public Information Officer. The penalized amount to be deducted from the salary account of the concerned State Public Information Officer/ Assistant State Public Information Officer and credited to the concerned Government account budget head with compliance report to the Commission. Meanwhile as agreed by the State Public Information Officer and Assistant Engineer, the information concerning issue no. V i.e. Measurement Book and the Detail lists of items supplied by the supplier issue number VIII to be made available to the Appellant within 10 days i.e. by 03/07/17 without fail. The Appellant has no objection to allow 10 days time.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 dated 15/05/17 is disposed of with above observation for compliance of all concerned.

ORDER SHEET

Appeal No.22/SIC/2017

File Date: 16/08/2017

Appellant : Sanjukta Rai, Sichey, Gangtok.

Vs.

State Public Information Office: Horticulture & Cash Crop Dev. Department.

State Public Information Officers Shri. M. K. Subba (Addl. Director) accompanied by Shri. T. P. Bhutia (Addl. Director) and Shri. P. L. Basnet (Joint Director) – present.

Date of Order: 07/03/2018

Appellant Ms. Sanjukta Rai not Present nor was any reason given to the Commission of her failure to appear before the Commission.

Today is the date fixed for further hearing in connection with an Appeal Application dated 18/12/2017 filed under section 19 (3) of the Right to Information Act' 2005, wherein it has been stated that she is not satisfied with the information provided by the State Public Information Officers in connection with her RTI Application dated 06/04/2017.

The State Public Information Officers present before the Commission submitted that they have brought all the information as per an Appeal Application dated 18/12/2017 and the same were handed over to the Commission.

The copies of the information may be given to the Appellant as and when she comes to the Commission.

The Appeal Petition dated 18/12/2017 of the Right to Information Act' 2005 is disposed of with above observation.

ORDER SHEET

Appeal No. 39/SIC/2017

File Date: 09/12/2017

Appellant : Prem Raj Gurung

Vs.

State Public Information Office: Forest, Env. & Wildlife Management Department.

State Public Information Officer Shri. B. S. Sikel (Director) - present

Appellant Shri. Prem Raj Gurung – Present.

Date of Order: 07/03/2018

The Appellant submitted that he had received the information as per the order dated 26/02/2018 of the Learned Registrar of the Sikkim Information Commission. However he is not satisfied with the information furnished by the State Public Information Officer.

The State Public Information Officer present submitted that he will hand over all the pending information within ten days from the date of hearing. As such, the Appellant may file a rejoinder Application to the State Public Information Officer as to what information he is not satisfied with.

The State Public Information Officer is directed to file a compliance report of this order before the Commission on or before 19/03/2018.

The Appeal Petition dated 09/12/2017 under section 19 (3) of the Right to Information Act' 2005 is disposed of with above observation.

ORDER SHEET

Appeal No. 1/SIC/2018

File Date: 11/01/2018

Appellant : Zigmee Dorjee Bhutia, Gangtok.

Vs.

State Public Information Office: Human Resource & Dev. Department.

State Public Information Officer Shri. T. P. Sharma, Controller of Exam accompanied by Ms. Shanti Diyali, (Deputy Secretary) Assistant State Public Information Officer – present.

Appellant Shri. Zigmee Dorjee Bhutia – Present.

The Appellant submitted that he did not get the information of 'c' and 'd' of his RTI Application dated 03/10/2017 .

The State Public Information Officer on the other hand submitted that the information of 'c' and 'd' were denied under section 11 of the Right to Information Act' 2005 being third party information. The Sikkim State Teacher's Recruitment Board (SSTRB) also seek consent from all the third parties vide letter no. 208/SSTRB dated 23/11/2017 followed by reminder letter no. 219/SSTRB dated 06/12/2017 on the direction of the First Appellate Authority, HRDD. He further pleaded that he received consent from one Mr. Deepak Subba only. Accordingly the State Public Information Officer under section 11 (c) of the Right to Information Act' 2005 denied the above information in view of larger interest.

The Commission is not satisfied with the submission made by the State Public Information Officer. The State Public Information Officer is hereby directed to find out the procedure adopted by alike institutes, like State Public Service Commission, Gangtok and act upon accordingly.

The State Public Information Officer is directed to submit Counter Statement on or before 21/03/2018 and the matter will accordingly be taken up on the same day at 11.00 am.

Parties to appear accordingly.

ORDER SHEET

Appeal No. 1/SIC/2018

File Date: 11/01/2018

Appellant : Zigmee Dorjee Bhutia, Gangtok.

Vs.

State Public Information Office: Human Resource & Dev. Department.

State Public Information Officer Shri. T. P. Sharma, Controller of Exam accompanied by Ms. Shanti Diyali, (Deputy Secretary) Assistant State Public Information Officer – present.

Appellant Shri. Zigmee Dorjee Bhutia – Present.

Date of Order: 22/03/2018

The State Public Information Officer had filed a Counter Statement with regard to the direction of order dt. 07/03/18. In the last order, it has been directed to find out the procedure adopted by alike institute, like SPSC, Gangtok and act upon accordingly. The Counter Statement filed by the State Public Information Officer vide ref. no. 350/SSTRB dated 20/03/18 relied on a copy of the approval of the Hon'ble Chairman, SPSC dated 04/11/08. On the other hand the Applicant had furnished the report vide no. 57/SPSC/EXAM/18 given by the State Public Information Officer on 17/03/18 wherein it has been reflected that the Commission (SPSC) is furnishing the information on marks obtained by the selected candidates in the examination conducted by the SPSC to the Applicant.

On considering the statement of the State Public Information Officer, SPSC gave on 17/03/18, the State Public Information Officer, Human Resource & Dev. Department is hereby directed to furnish the marks obtained by the selected candidates appeared for the promotion test for the post of Headmaster, Secondary School, Government of Sikkim conducted by Sikkim Teachers Recruitment Board 2017 within a week and file a compliance report of the same before the Commission on or before 28.03.18.

The Appeal Petition under section 19 (3) of the Right to Information Act' 2005 of the Right to Information Act' 2005 dt. 12.2.18 is disposed of with above observation for compliance of all concerned.

ORDER SHEET

Complaint No. 1/SIC/2018

File Date: 12/02/2018

Complainant : Wangyal Bhutia, Gangtok.

Vs.

State Public Information Office: District Collectorate, East Sikkim.

It is seen that, the State Public Information Officer had provided the information sought by the Complainant vide memo no. 83/DCE dated 06.02.18 within the stipulated time as contemplated under section 7 (1) of the Right to Information Act' 2005. The Complainant also expressed his satisfaction with the reply given by the State Public Information Officer.

Accordingly the Complaint dated 13/02/18 under section 18 (1) of the Right to Information Act' 2005 is disposed of with above observation.

ORDER SHEET

Appeal No.02/SIC/2018

Dated 19.01.2018

Shri Prem Raj Gurung, Namchi Bazar, South Sikkim Appellant Present

Vs.

Shri Bhanu Rai, SPIO, Joint Director, Sports & Youth Affairs Department..... Present

Date of Order: 19/04/2018

That today is the date fixed for filing an explanation by the First Appellate Authority of the concerned Department, as to why he has not conducted the hearing of an appeal application under section 19(1) of the Right to Information Act, 2005 dated 6-12-2017 and the State Public Information Officer had provide the information or not.

The First Appellate Authority-cum-Secretary had filed an explanation stating that he was personally occupied with the preparation of budget and the meeting with difference section of Finance Revenue and Expenditure Department and also to the DPER & NECAD during that period.

In this case, the First Appellate Authority had failed to follow the procedure laid down by the Right to Information Act, 2005 to deliver Judgment and provide the copy of the same to the Appellant. However, these being the first case, the Commission accept the submission made by the First Appellate Authority.

The State Public Information Officer on the other hand submitted that, he had given all the information sought by the Appellant. The appellant also admitted that he got satisfactory information.

Hence, the Commission hereby directs the Department through State Public Information Officer to immediately appoint First Appellate Authority under section 19(1) of Right to Information Act, 2005 who is junior in rank to the Secretary and Senior to the SPIO for smooth functioning of RTI related works.

The appeal application under section 19(1) of Right to Information Act, 2005 is disposed of with above observation.

ORDER SHEET

Appeal No. 06/SIC/2018

File Date: 02/04/2018

Appellant : Shri. Phurba Wangdi Bhutia, Gangtok.

Vs.

State Public Information Office: Rural Management & Development Department.
Shri. Chiran Rizal, B.D.O, Pakyong accompanied by Shri. Jigme S. Basi, Assistant State Public Information Officer – present.

Appellant Shri. Phurba Wangdi Bhutia – Present.

Date of Order: 26/04/2018

That today is the date fixed for hearing in connection with an Appeal Application under section 19 (3) of the Right to Information Act' 2005 filed on 29.03.2018. The Appeal Application is on the ground of not getting the information by the Applicant with regard to his RTI Application dated 30.01.2018.

The Law Officer, SIC had filed a forwarding note dated 24.04.2018 of Assistant State Public Information Officer cum B.D.O, Pakyong of the information sought by the Applicant. It is seen that the same were handed over to the Applicant.

During hearing, the Applicant was asked by the Commission, as to whether he was satisfied with the information given by the B.D.O, Pakyong. The Applicant submitted that he received all the information sought by him and was satisfied.

Accordingly the Appeal Application under section 19 (3) of the Right to Information Act' 2005 is disposed of with the above observation for compliance of the all concerned.

ORDER SHEET

Appeal No. 06/SIC/2018

File Date: 02/04/2018

Appellant: Shri. Manoj Rai, West Sikkim

Vs.

State Public Information Officer: Tourism & Civil Aviation Department, Gangtok
Sikkim.

State Public Information Officer – Shri. Lakpa Sherpa, Assistant Engineer accompanied by Shri. Biswas Gurung, Junior Engineer – Present.

Complainant - Present.

Date of Order:04/06/2018

I have seen and pursued the appeal u/s 19(3) of RTI Act, 2005, wherein he has stated that the SPIO has not furnished the information sought by him vide his RTI application dt: 22/11/2017. The SPIO had furnished the information on 14/2/2018 on the basis of the order passed by the First Appellate Authority on 20/1/2018 stating that as per the letter from SE(S/W), D.E (South) & A.E (South) vide their letter No: 155/205/EC/DOT & CA/13-14/II dt 31/1/2018 file is missing and no records is available.

In the Counter Statement filed by SPIO before the Commission he has annexed a copy of report regarding missing of file filed before the officer-In- charge of Sadar Police Station on 2/2/2018. However, the Commission feels that lodging a F.I.R is not the remedy in such cases and one cannot expect the police to come to the office and trace the file. According to law, police does not have any responsibility to trace the missing files, as they will come into picture only when there is theft of the files. Neither lodging a F.I.R with the police nor denying information to citizen under Right to Information Act under the pretext of a missing file is acceptable.

It is the duty of the SPIO and all the concerned officers to whom the application of appellant have been transferred u/s 5(4) of Right to Information Act, 2005 are directed to make necessary efforts to trace the file or reconstruct the missing file and to hand over the information to the appellant within 20 days from the date of order failing which penalty provision as mentioned under section 20 (1) of the Right to Information Act' 2005 will be imposed upon the State Public Information Officer and the other concerned officials. The SPIO is further directed to file a compliance of this order before the Commission on the date fixed.

ORDER SHEET

Appeal No. 07/SIC/2018

File Date: 02/04/2018

Appellant: Shri. Manoj Rai, West Sikkim

Vs.

State Public Information Officer: Tourism & Civil Aviation Department, Gangtok Sikkim.

Appellant: Shri. Manoj Rai – Present.

State Public Information Officer — Present.

Date of Order:25/06/2018

That today is the date fixed for filing of compliance of the order dt. 4.6.2018.

The SPIO has filed a compliance report vide Ref No. 155(2032)EC/DOT&CH/17-18/143 dated 20.6.2018. The compliance report contains the para-wise reply of the information, sought by the applicant. He has also filed a report of the applicant, wherein it has been stated that the applicant is satisfied with the information provided by the Tourism Department and has no further queries in regards to this instant matter.

There is a compliance from all the concerned of the order dt. 4.6.2018. Accordingly the instant case is disposed off.

ORDER SHEET

Appeal No. 10/SIC/2018

File Date: 30/04/2018

Appellant: Shri. Ramesh Kumar Gurung, Burikhop, West Sikkim.

Vs.

State Public Information Officer: Addl. Secretary, Rural Management & Development Department (Panchayat Cell).

Appellant: Shri. Ramesh Kumar Gurung – Present.

SPIO accompanied by B.D.O & Panchayat President - Present.

Date of Order:23/06/2018

That today is the date fixed for filing of compliance report of order dt. 8.6.2018 and explanation by the SPIO, as to why he has failed to appear before the Commission for the hearing fixed on 8.6.2018.

The SPIO, had filed a Counter Statement vide Memo No. 13/ADC/DEV/Soreng-18-19 dated 22.6.2018 with the list of documents provided to the applicant. He has also filed a copy of the letter dt. 25.6.2018 of the applicant, Shri. Ramesh Kumar Gurung, wherein it has been stated that the applicant have received the satisfactory information on 22.6.2018 as desired by the Applicant, a joint field inspection had also been conducted where the Applicant expressed his satisfaction of the work executed at site and hence has no further complaint against this instant matter.

The SPIO had also filed an explanation as to why he had failed to attend hearing on 8.6.2018. The ground of inability to appear on the said date is found to be genuine, accordingly, he is exempted from the punishment mentioned under section 20(1) and 20(2) of RTI Act, 2005.

The Appeal dated 25.4.2018 u/s 19(3) of the RTI Act, 2005 is disposed off with the above observation for compliance of all concerned.

ORDER SHEET

Appeal No. 13/SIC/2018

File Date: 05/06/2018

Appellant: Shri. Wangyal Bhutia, Chandmari, East Sikkim.

Vs.

State Public Information Officer: State Public Information Officer, District Collectorate, East Sikkim.

State Public Information Officer cum ADC accompanied by Ms. Dawa Lhamu, Revenue Surveyor, East – Present.

Appellant: Shri. Wangyal Bhutia – Present.

The Third party, Shri. Pem Gyatso Bhutia – Present.

Order Date:05/07/2018

Today is the date fixed for hearing in connection with an Appeal Application under section 19 (3) of the Right to Information Act' 2005 of Shri. Wangyal Bhutia, Chandmari, East Sikkim. The Appeal Application is on the ground of not getting the information in detail of his grandfather's land situated at Chandmari, Chongthong Pakha (near Christian Graveyard, Gangtok).

It is seen that the ADC (HQ), East cum State Public Information Officer had furnished the information to the Applicant vide memo no. 90/DCE dated 29.3.2018 stating that as per the report of Revenue Section of the Collectorate, the plot nos. 118, 118/54, 141, 142, 149 have been transferred and mutated in the name of Mr. Pem Gyatso Bhutia vide O. O. No. 108/DCE(E) dated 5.11.2011, however the details of the same could not be located.

The State Public Information Officer present submitted that, the above information was furnished by the then State Public Information Officer. As such, he prays for a week time to locate the file.

The submission of the State Public Information Officer has been accepted and grant a time till 21.7.2018. the State Public Information Officer is directed to trace the file and furnish the information as sought in the Appeal Application under section 19 (3) of the Right to Information Act' 2005 on or before 21.7.2018.

The next date is on 21.7.2018. All the parties are directed to appear on 21.7.2018.

ORDER SHEET

Appeal No. 13/SIC/2018

File Date: 05/06/2018

Appellant: Shri. Wangyal Bhutia, Chandmari, East Sikkim.

Vs.

State Public Information Officer: State Public Information Officer, District Collectorate, East Sikkim.

State Public Information Officer cum ADC Shri. Jamyang C Namgyal accompanied by Ms. Dawa Lhamu, Revenue Surveyor, East – Present.

Appellant: Shri. Wangyal Bhutia – Present.

The Third party – Present.

Date Of Order: 21/07/2018

That today is the date fixed for further hearing and filing of the information sought by the Applicant vide his RTI Application dated 12.01.2018. The State Public Information Officer submitted that in spite of his best efforts he could not trace the information as sought by the Applicant.

Accordingly he prayed for ten more days to trace the file. The submission made by the State Public Information Officer has been accepted and grant time till 02.08.2018.

The next date of hearing is on 02.08.2018.

The parties to be summoned to appear on 02.08.2018.

ORDER SHEET

Appeal No. 13/SIC/2018

File Date: 05/06/2018

Appellant: Shri. Wangyal Bhutia, Chandmari, East Sikkim.

Vs.

State Public Information Officer: State Public Information Officer, District Collectorate, East Sikkim.

State Public Information Officer cum ADC Shri. Jamyang C Namgyal accompanied by Ms. Dawa Lhamu, Revenue Surveyor, East – Present.

Appellant: Shri. Wangyal Bhutia – Present.

The Third party – Present.

Date order:06/08/2018

That today in the date fixed for further hearing. During hearing the SPIO had filed an application submitted by applicant before the SPIO stating that, he does not want the information sought by him as he had been appraised verbally by his uncle Pem Gyelten Bhutia, regarding the information sought by him vide his RTI application dt12.01.2018.

The applicant present was also asked before the court room, as to whether, he wants to press an appeal application filed u/s 19(3) of R.T.I Act before the Commission.

The applicant verbally stated that, he is satisfied with the verbal information given by his uncle, as such, he wants to withdrawal the appeal application u/s 19(3) which was pending before the Commission for disposal.

Considered the submission made by the applicant, accordingly the appeal application u/s 19(3) is disposed off with the above observation.

ORDER SHEET

Appeal No. 12/SIC/2018

File Date: 24/05/2018

Appellant: Shri. Prem Raj Gurung, Namchi, South Sikkim.

Vs.

State Public Information Officer: Rural Management & Development Department.

The Nodal SPIO, Smt Koshi Kapil and First Appellate Authority, Smt C.P Ladinpa present on behalf of RMDD, Gangtok East Sikkim.

Appellant: Shri. Prem Raj Gurung – Present.

Date of Order:06/08/2018

That today is the date fixed for hearing in connection with an appeal application u/s 19(3) of the RTI Act, 2005 filed before the Commission on 24.5.2018, on the ground that he did not get the complete information and the information which he had received are not certified and systematic. The applicant had specifically mentioned in his Rejoinder Appeal application received by this Commission on 25.7.2018 as to what information he is not satisfied with.

From the facts before the Commission, it is apparent that, the appellant had filed an RTI application on 7.9.2017 before the SPIO, RMDD, Gangtok asking for the construction of work done from Border Regional Grant Fund (BGRP) and 14th Finance Commission from 2011-2012 to till date in Sikkim. On 8.9.2017 the Division Engineer (Plg) - cum - ASPIO had transferred that application under 5(4) to District Project Officers (East, West, South & North).

On 9.10.2017, the applicant had received some of the informations from the District Planning Officer vide Memo No. 283/ED2P/2017-2018. The information provided are not satisfactory, therefore he had filed an appeal u/s 19(1) before the First Appellate Authority on 13.10.2017. The First Appellate Authority did not take any action. As such, he had filed an appeal before the Commission on 16.11.2017. The appeal being immature in nature, the Registrar had directed vide Order No. 262/SIC/2017 dt. 27.11.2017 to the First Appellate Authority, RMDD, Gangtok to conduct the hearing within two week of the appeal application u/s 19(1) of RTI Act, 2005 dt 13.10.17 of the applicant.

First Appellate Authority, RMDD, Gangtok had conducted the hearing on 12.12.2017 after issuing Notice to Additional Secretary cum SPIO, Panchayat Directorate, RMDD and Additional Director II cum SPIO (Accounts) RMDD, Gangtok. The order was passed with a direction to provide information to the appellant by 8.1.2018.

The SPIO sent the reminder letter to all the District Planning Officer vide letter No. 258/RMDD/P dt. 18.12.2018 to provide the information within the time bound. The applicant had received some of the information after passing an order by the First Appellate Authority on 8.1.2018, however the information furnished by them are incomplete, unsystematic, unspecific and uncertified. On 24.1.2018, the applicant had filed a rejoinder application before the First Appellate Authority, RMDD, Gangtok with the specific queries, as to what information he was not satisfied with. After filing a rejoinder application, the First Appellate Authority had sent a letter to the District Planning Officers of East, West, South and North and the Additional District Collector of Mangan, Chungthang, Ravangla, Namchi, Soreng, Gyalshing, Pakyong, Gangtok with a direction to furnish complete specific, systematic and certified information. The concerned officers to

whom the reminder letter were sent by the First Appellate Authority, RMDD, Gangtok failed to provide any of the information as per the rejoinder application dt 24.1.2018, hence he had failed an appeal u/s 19(3) of RTI Act, 2005 before the Commission.

From the facts before the Commission, it is further apparent that the deemed SPIO, District officer (East, West, South, North) to whom the letter were transferred are guilty of not furnishing the information within the time specified under sub-section (1) of Section 7 by not replying within 30 days, as per the requirement of the RTI Act, 2005, which risen a reasonable doubt that the denial of information may be malafide. The deemed SPIOs are directed to present before the Commission along with their written statements on 11.9.2018 to show cause as to why penalty should not be imposed and disciplinary action not be commended against them under section 20(1) and 20(2) of the RTI Act, 2005 for not providing the information to the applicant within the stipulated time period of 30 days.

1. The officers i.e The District planning officers, District Administrative centre, Gangtok, Gyalsing, Namchi, Magyan, East, West, North, South Sikkim, and the Additional District Collector(Development) District Administrative Centre, Government of Sikkim, Mangan/ Chungthang/Ravangla/Gangtok, North/ South/ East/ West Sikkim to whom the letter No. 278/RMDD/P sent by First Appellate Authority, Gangtok with a request to furnish the complete certified information to the applicant have failed to provide the complete information sought for by the applicant. It is the duty of every public Authority to give complete information in time. The incomplete information under the RTI Act falls under the same category as not giving information at all and it appears that the concern officer's action attracts the panel provision and disciplinary action mentioned under section 20(1) and 20(2) of RTI Act, 2005. A show cause notice is being issued and they are directed to give their reason to the Commission to show cause why a penalty provision and disciplinary action should not be imposed upon them.

Further the concern officers to whom the above letter were sent by the First Appellate Authority, RMDD may serve this notice to such persons if any who may be responsible for.

The next date is on 11.9.2018.

The Notice to be issued to all the concerned parties as per the order.

ORDER SHEET

Appeal No. 12/SIC/2018

File Date: 24/05/2018

Appellant: Shri. Prem Raj Gurung, Namchi, South Sikkim.

Vs.

State Public Information Officer: Rural Management & Development Department.
Applicant Shri. Prem Raj Gurung – present.

The First Appellate Authority, Smt. C.P. Ladingpa, Nodal SPIO, Smt. Koshi Kapil, Shri. Dawa Bhutia ADC (Dev. Chungthang), Shri. Kishore Pradhan ADC (Dev. Gangtok), Smt. Urvashi Poudyal ADC (Dev. Pakyong), Shri. Gayesh Pega ADC (Dev. Soreng), Shri. Sumen Gurung ADC (Dev. Rabongla), Shri. Yadev Sharma DPO/EDZP, Shri. Kerzang D. Lhasopa DPO/SDZP, Shri. P.T. Lepcha DPO/NDZP, Shri. S.K. Pradhan DPO/WDZP, Shri. Ashish Gurung Under Secretary on behalf of ADC (Dev. Namchi), Shri. Mahendra Chettri BDO, Namthang, Shri. Khagendra DE/WDZP, Smt. Choden DE/NDZP, Shri. Subash Cintury DE/NDZP, Shri. N. Pradhan DE/SDZP, Shri. Roshan Subba BDO Zangu, Shri. N.C. Sherpa, Shri. H.R. Bhattarai NDZP, Shri. N.B. Bhattarai Under Secretary on behalf of ADC, Geyzing and Shri Dinesh Pradhan ,BDO,Sumbok – Present.

ADC, Geyzing absent on behalf of him the under Secretary was present.

ADC, Mangan absent on behalf of him the Under Secretary was present.

ADC Namchi absent on behalf of him the under Secretary was present, however he had appeared before the Commission two days before the Hearing and filed the petition for his exemption on the hearing fixed on 11.9.18.

Date of Order:18/09/2018

That today is the date fixed for further hearing and supply of information in connection with the rejoinder application filed by the applicant on 25.7.2018. The SPIOs and all the concerned officers present above have submitted that they have supplied all the information being asked in the rejoinder application Dated 25.7.2018. On the other hand the applicant present today also admitted that he had received the information as sought in his rejoinder application just before the hearing. However he prays for some more time to go through the information. The submission made by the applicant has been considered and granted 15 days time to go through the information and a liberty to file a rejoinder if he is not satisfied with the information provided to him.

The applicant also prays to invoke sections 20(1) 20 (2) and 19(8)(b) of RTI Act,2005 against all the concerned person of this case for not providing the information on time and furnishing the incomplete information without certified.

It is apparent from the record that the RTI application under Form 'A' received by the Public Authority on 7.9.17,thereafter the Divisional Engineer cum APIO, Gangtok had transferred that application under section 5(4)of RTI Act,2005 to the District Planning Officers (East,West,North and South) vide memo No 61/D.E./PLG/RM7DD Dated 8.9.17. The District Planning Officers have failed to furnish the information on time as sought by the applicant, although the DPO ,East had given the information through CD without digital signature/ uncertified form and others have transferred the application to their concerned officers but as per the RTI Act it is the duty of the SPIO to furnish the information as required by the applicant within 30 days of the receipt of the request. In section 7 (1) of RTI Act clearly mentioned about the disposal of the RTI Application, subject to the provision to sub-section (2) of section 5 or the power to sub-section (3) of section 6,the State Public Officer,as the case may be on receipt of the request under section

6 shall, as expeditiously as possible and in any case within 30 days of the receipt of the request, either provide the information on time or reject the request for any of the reasons specified in section 8 and 9.

In the reply of the show cause The District Planning Officers cum SPIO, North Zilla Panchayat and District Planning Officer of West District Zilla Panchayat, Gyalshing stated that they have never received the transferred application Dated 8.9.17 and District Planning Officer of East and south stated that they have already provided the information whatever being sought by the applicant in his rejoinder application filed before the Commission on 25.7.2018. The District Planning Officer, East also submitted that the Appeal is against the information furnished by other SPIOs because he had already furnished all the information before filing the appeal application under section 19 (3) before the Commissions.

It is seen that The District Planning Officer, East, North, South and West mentioned above had furnished the information on CD, and on the other hand they have transferred the application to other concerned officers also with a direction to furnish the information directly from their side falling under their jurisdiction. The applicant had filed a rejoinder before the First Appellate Authority on 24.1.18 stating that the information furnished by DPO of all the District through CD and Pen Drive does not bear the signatures and the information given by the transferred Officers are not systematic and in specific form.

It is apparent from the facts before the Commission that District Planning Officers of all the districts did not take any steps of the rejoinder application Dated 24.1.2018. As such, the applicant had filed an Appeal Application under section 19 (3) of RTI Act,2005 on the same ground as mentioned in his rejoinder application dated 24.1.2017. The Appeal being not specific ,the Commission directed him to file a rejoinder application on the specific form, Accordingly he had filed a rejoinder application on 25.7.18 and the copy of the same were supplied to all the concerned persons of this case to take appropriate steps.

As per the record the Additional District Collectorate of all the District were directed by the First Appellate Authority to provide the information sought by the applicant in a proper form however it is seen that there was no proper compliance of the order of the First Appellate Authority ,as such the Additional District Collectorate of all the districts were asked to file the explanation as to why they have failed to comply the order of First Appellate Authority. The Explanation given by them have been considered and exempted from penalty and compensation part of RTI Act'2005 with a direction that in future if they fail to comply the order then they will be penalized for not complying the order or decision as taken in connection with the RTI Act, 2005.

The Commission is not satisfied with the submission of the District Planning Officers cum SPIOs of all the Districts . There is no corroboration evidence to support the statement of DPO of North and West as they have never received the transferred application dated 8.9.17. There are many evidence to show that some of the Officers of North and West did furnish the information as per the transferred application dated 8.9.17 though it was incomplete and not systematic. The District Planning Officers cum SPIOs of all the districts have failed to comply the time limit as sets in section 7 of the RTI Act, 2005. The section 7 clearly sets the time limit for the disposal of request. The SPIO has the right to deny some

information to the applicant, which are covered in the section 8 (1) of the RTI Act,2005.If the information is refused to an RTI Applicant, the SPIO is duty bound to inform the applicant about such a refusal and the reason for not providing such information. At the same time SPIO must inform the applicant about the time limit within which the applicant can file an Appeal against the refusal order of the SPIO. The SPIOs have to follow the provision and time sets as mentioned in section 7 of the RTI Act,2005 so that the citizens do not have to run around the public Authority for information endlessly. However in this case the District Planning Officers cum SPIOs to whom the first RTI.

Application were transferred on 8.9.17 did not give any reason for not providing the information as required by the applicant within the time frame and in the form as sought by the applicant. The District Planning Officers cum SPIOs of all the districts and the other Officers present to whom the RTI application of applicant were transferred directs to pay Rs 20,000/-as compensation to the applicant under section 19 (8) (b) towards unwarranted difficulties faced by the applicant and delay .

The Divisional Engineer, Khagendra Sharma had filed the petition stating that he is not aware of the RTI application of Prem Raj Gurung as he had assumed his duty in RMDD (WDZP) only on 8.6.18 as per the order No.654/G/DOD Dated 1.6.18 however once the officer take over the charge he/ she is bound to know such an important case. Accordingly he is not exempted from the compensation. All the under Secretary who have appeared on behalf of the Additional District Collectorate are exempted from the compensation.

The Additional District Collectorate of Mangan and Geyzing are directed to file the explanation as to why they have failed to appear before the Commission for hearing on 11.9.18 by 28.9.18 ,If they fail to file the explanation within the time given then the penalty provision mention under section 20 (1) and 20 (2) of RTI,Act,2005 will be imposed upon them for not complying the order of the Commission.

The compliance of the order to be filed on 28.9.18.

ORDER SHEET

Appeal No. 22/SIC/2018

File Date: 13/09/2018

Appellant: Shri. Pravesh Gurung, Arithang, Gangtok, East Sikkim.

Vs.

State Public Information Officer: SIMFED, Gangtok, Sikkim.

Shri. Pravesh Gurung, Applicant ----- present.

SPIO ----- Shri. Kailash Rai, present.

First Appellate Authority ----- Shri. Jiwan Sharma, General Manager, present.

Date of Order: 24/10/2018

That today is the date fixed for hearing in connection with an appeal application u/s 19(3) of RTI Act, 2005 filed on 12.9.2018 on the ground that he did not get the information sought by him vide his RTI application dated 6.3.2018 and his appeal application u/s 19(1)

has not been entertained by the First Appellate Authority as per the procedure laid down in the RTI Act, 2005.

From the facts, before the Commission, it is apparent that applicant had filed the RTI application on 6.3.2018 before the SPIO, SIMFED. Thereafter he had filed an appeal u/s 19(1) before the First Appellate Authority on 8.5.2018 and the rejoinder on 23.6.2018. However he did not receive any of the information sought by him neither his appeal application was entertained by the First Appellate Authority.

During hearing the SPIO and First Appellate Authority submitted that the applicant did not come for the hearing fixed on 28.7.2018 before the First Appellate Authority as such they presumed that the appellant is no longer interested in the reply.

The Commission is not satisfied with the submission made by the SPIO and First Appellate Authority. As such they are directed to furnish the information sought by the applicant on or before 27.10.2018 free of cost and file the compliance of the same before the Commission on 27.10.2018 failing which appropriate disciplinary action shall be initiated as per the RTI Act.

The applicant is liberty to file a rejoinder if he is not satisfied with the information furnished by the SPIO.

ORDER SHEET

Appeal No. 22/SIC/2018

File Date: 13/09/2018

Appellant: Shri. Tshering Tashi Bhutia, Phodong, North Sikkim
Vs.

State Public Information Officer: Block Dev. Office, North Sikkim.

Appellant --- Shri. Tshering Tashi Bhutia, present.

SPIO -----Shri. K.R. Limboo along with APIO, Shri. Gilbert Lepcha, present.

Date of Order: 24/10/2018

That today is the date fixed for hearing in connection with an appeal application u/s 19(3) of RTI Act, 2005. The appeal is on the ground that the applicant did not get the information sought by him vide his RTI application dated 2.5.2018.

From the facts before the Commission, it is apparent that, the appellant had sent the RTI application to the SPIO, B.D.O, Kabi, North Sikkim on 2.5.2018. Thereafter he has sent an appeal application to the Appellate Authority, B.D.O, Kabi, North Sikkim on 2.8.2018. The appellant had filed an appeal u/s 19(3) before the Commission on 1.9.2018 on the ground that he did not get the information sought by him.

During hearing the B.D.O, Kabi, North Sikkim had filed a Counter Statement stating that on 18.5.2018 he had sent a letter to the applicant requesting him to fix a suitable date to view the records and discuss the photo copying charge. However, he did not get any response from the applicant. On 2nd Aug, 2018 the B.D.O, Kabi had received another letter

from the applicant asking for the same information. On reading the contents of that letter it came to the knowledge of B.D.O, Kabi that the previous letter dated 18.5.2018 had never reached the applicant.

Accordingly on 31st Aug, 2018 the B.D.O, Kabi had submitted the information with regard to the NGNREGA scheme which the Commission found incomplete and the information pertaining to MPLAD is in the possession of SDM, Mangan and prays for a week time to furnish the information.

The submission made by the B.D.O, Kabi has been considered and directed him to furnish all the information sought by the applicant on or before 5.11.2018 in a proper manner as directed before Commission and in detail as per the RTI procedure, failing which appropriate disciplinary action shall be initiated as per the RTI Act, 2005. The Commission also observed that the State Public Information Officer/Assistant State Public Information Officer has unnecessarily delayed in providing the information to the Appellant which amounts to disciplinary action, however they have been issued final warning.

The applicant has liberty to file a rejoinder before the Commission if he is not satisfied with the information furnished by the SPIO.

ORDER SHEET

Appeal No. 20/SIC/2018

File Date: 27/07/2018

Appellant: Shri. Chabilall Gurung, Linchum, West Sikkim.

Vs.

State Public Information Officer: District Collectorate, West Sikkim.

The applicant, Shri. Chabilall Gurung - present.

Shri. Karma Loday Bhutia, State Public Information Officer cum ADC, West Sikkim - present.

Date of Order:06/11/2018

Today is the date fixed for further hearing. During hearing the applicant submitted that he did not get the khatyan parcha of 1984-85 of his late father Shri. Ram Bahadur Gurung, as sought by him.

On the other hand, the SPIO submitted that the information with regard to the khatyan parcha of 1984-85 had already been submitted before the Commission.

After hearing the submission made by the parties the Commission, directed the SPIO to file a report on 30.11.2018 with regard to the khatyan parcha of Smt. Nisha Gurung, Smt. Dilmaya Gurung and Shri. Chabilall Gurung and the latest position of land of late Ram Bahadur Gurung measuring about .0640 hectare purchased form one Smt. Sunjyoti Subba in the year 1984-85. The State Public Information Officer has also been directed to conduct site verification to ascertain land and house constructed by one Shri. Jas Bahadur Gurung and Shri. Lall Bdr. Gurung on the land sold by Lt. Ran Bdr. Gurung. As per the statement

of the parties record of the land measuring 0.01100 Hectare and its Khatiyas as per DC's record 1984 is asking in the RTI. The same may also be verified and submitted. Copy the sale deed possessed by the party may also be submitted which is available in the record of DC Office. Indicate the area of land now the party Shri. Chabilall Gurung is possessing. The total area of land possessed by Smt. Nisha Gurung, Smt. Dilmaya Gurung & Shri. Chabilall Gurung may be mentioned in the report.

The next date is on 30.11.2018 for filing a report by the SPIO as directed in the order. Issue notice to both the parties for the hearing on 30.11.2018.

ORDER SHEET

Appeal No. 20/SIC/2017

File Date: 27/07/2017

Appellant: Shri. Chabilall Gurung, Linchum, West Sikkim.

Vs.

State Public Information Officer: District Collectorate, West Sikkim.

The applicant, Shri. Chabilall Gurung – present along with his brother Dipankar Gurung.

State Public Information Officer accompanied by Revenue Officer & Head Surveyor for the Respondent - present.

Date of Order: 30/11/2018

That today is the date fixed for filing a report as per the direction of order dt 6.11.2018.

The SPIO submitted the report, which was found to be appropriate as per the direction. On the other hand the application submitted that they are not satisfied with the report given by the SPIO. However, they asked for the Khatian parcha of 1984 -85 of their late father Ram Bahadur Gurung.

The SPIO submitted that they are not having the Khatian Parcha of 1984-85 of Late Ram Bhadur Gurung in their office and the same statement was made by him in his previous Counter Statement vide memo No:253/DC(W)Dated5.8.2018. According to the submission made by the SPIO it has been considered and the matter is disposed of.

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