

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

Hon'ble Justice Soumitra Pal, Hon'ble Chairman.
& Hon'ble Mr. P. Ramesh Kumar, Administrative Member.

Case No. 670 of 2016.

SUVANKAR CHHATUI – VS- THE STATE OF W.B. & ORS.

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p>14 20.9.2018.</p>	<p>For the Applicant : Mr. G.K. Das, Advocate.</p> <p>For the State Respondent : Mr. S.N. Ray, Advocate.</p> <p>Pursuant to the directions contained in the order dated 16th December, 2016, Mr. S.N. Ray, learned advocate for the state respondent has produced records of which some are photocopies of the records. Mr. G.K. Das, learned advocate for the applicant has perused the records.</p> <p>In the instant case , the applicant has prayed for the following reliefs :-</p> <p>a) <i>“.....An order directing the respondents to supply the information on the basis of the application dated 29.02.2016 under the Right to Information Act, 2005;</i></p> <p>b) <i>An order directing the respondents to set aside the order dated 04.04.2016</i></p>	

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	<p><i>passed by the Appellate Authority and direct to supply the information on the basis of the application dated 27.01.2016 under the Right to Information Act, 2005;</i></p> <p><i>c) An order directing the respondents to certify/produce all the records so that conscionable justice may be administered by quashing the letter/decision dated 04.04.2016 in annexure 'P-4' and by granting the other relief as prayed for hereinabove.....".</i></p> <p>So far as prayer 'b' is concerned we find that the appellate authority by written intimation dated 4th April, 2016 has withheld information as it was hit by section 8(1)(j) of the Right to Information Act, 2005 as it relates to personal information.</p>	

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	<p>Mr. Das, learned advocate for the applicant submits that since said section stipulates that the authority can disclose information if it is satisfied that larger public interest justifies such disclosure, appropriate direction be passed for reconsidering the matter. Mr. Das submits in view of the provisions in section 8(i)(J) leave may be granted to file an application for reviewing the order dated 4th April, 2016.</p> <p>In view of the submission made by Mr. Das, if an application is filed for reviewing the order dated 4th April, 2016 on the grounds to be set out therein, the Appellate authority and Controller of Examination, Secretary, West Bengal Health Recruitment Board – respondent no. 3, shall dispose of the said application within four weeks from the date of its receipt.</p> <p>In view of directions as above, as prayer 'C' is interrelated to prayer 'b', no order is passed with regard to prayer 'c' of the application.</p> <p>So far as prayer (a) is concerned, it is for a direction upon the respondents to supply of information on the basis of the application dated 29th February, 2016 under the 2005 Act. Since an application has been filed</p>	

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Skg.	<p>on 29th February, 2016, the State Public Information Officer and Deputy Secretary to the Government of West Bengal – the respondent no. 2 shall furnish information or shall give a reply to the applicant within four weeks from the date of receipt of this order.</p> <p>The application is disposed of.</p> <p>(P. Ramesh Kumar) Member (A)</p> <p>(Soumitra Pal) Chairman.</p>	