

Annual Report 2007 - 08



ଓଡ଼ିଶା ସୂଚନା କମିଶନ
Orissa Information Commission

Orissa Information Commission
Bhubaneswar, Orissa



ଓଡ଼ିଶା ସୂଚନା କମିଶନ
Orissa Information Commission

Published by :

Secretary,
Orissa Information Commission,
Bhubaneswar.

Copyright :

Orissa Information Commission,
Block B-1, Toshali Plaza,
Satyanagar,
Bhubaneswar - 751007

Printed by :

Capital Business Service & Consultancy,
B-51, Saheed Nagar, Bhubaneswar - 751 007,
Phone : 0674 - 2545484.

CONTENTS

	Page
1. Chapter-1	5
● Introduction.	
2. Chapter-2	7
● Organogram.	
3. Chapter-3	8
● Pro-active disclosure under Section 4 of the Right to Information Act,2005 of Orissa Information Commission.	
4. Chapter-4	22
● Highlights of important decisions of the Orissa Information Commission.	
5. Chapter-5	24
● Action under the Right to Information Act,2005 and the Orissa RTI Rules, 2005	
6. Chapter-6	28
● Disposal of Complaint Cases and Second Appeals	
7. Chapter-7	29
● Penalties imposed and compensation awarded on Public Authorities	
8. Chapter-8	30
● Information, Education and Communication (IEC) Activities.	
9. Chapter-9	43
● Implementation of the RTI Act, 2005 in the State.	
10. Chapter-10	44
● Budget, Finances and Audit of Orissa Information Commission.	
11. Chapter-11	45
● Recommendations made by the Orissa Information Commission under Section 25(3)(g).	
12. Chapter-12	46
● Other important activities of the State Commission.	
13 Annexures	
(i) List of cases in which PIOs violated the provisions of the RTI Act, 2005 and have been taken to task by imposing penalty on them	48
(ii) List of cases in which compensation have been granted by the Orissa Information Commission	58
(iii) Implementation of the RTI Act,2005 in the State (Status Report relating to different Administrative Departments and their line organisations)	59
(iv) Budget.	61
(v) Disposal of cases.	63



ଓଡ଼ିଶା ସୂଚନା କମିଶନ

Orissa Information Commission



Farewell to Prof. Radhamohan, State Information Commissioner (30.01.2008)

INTRODUCTION

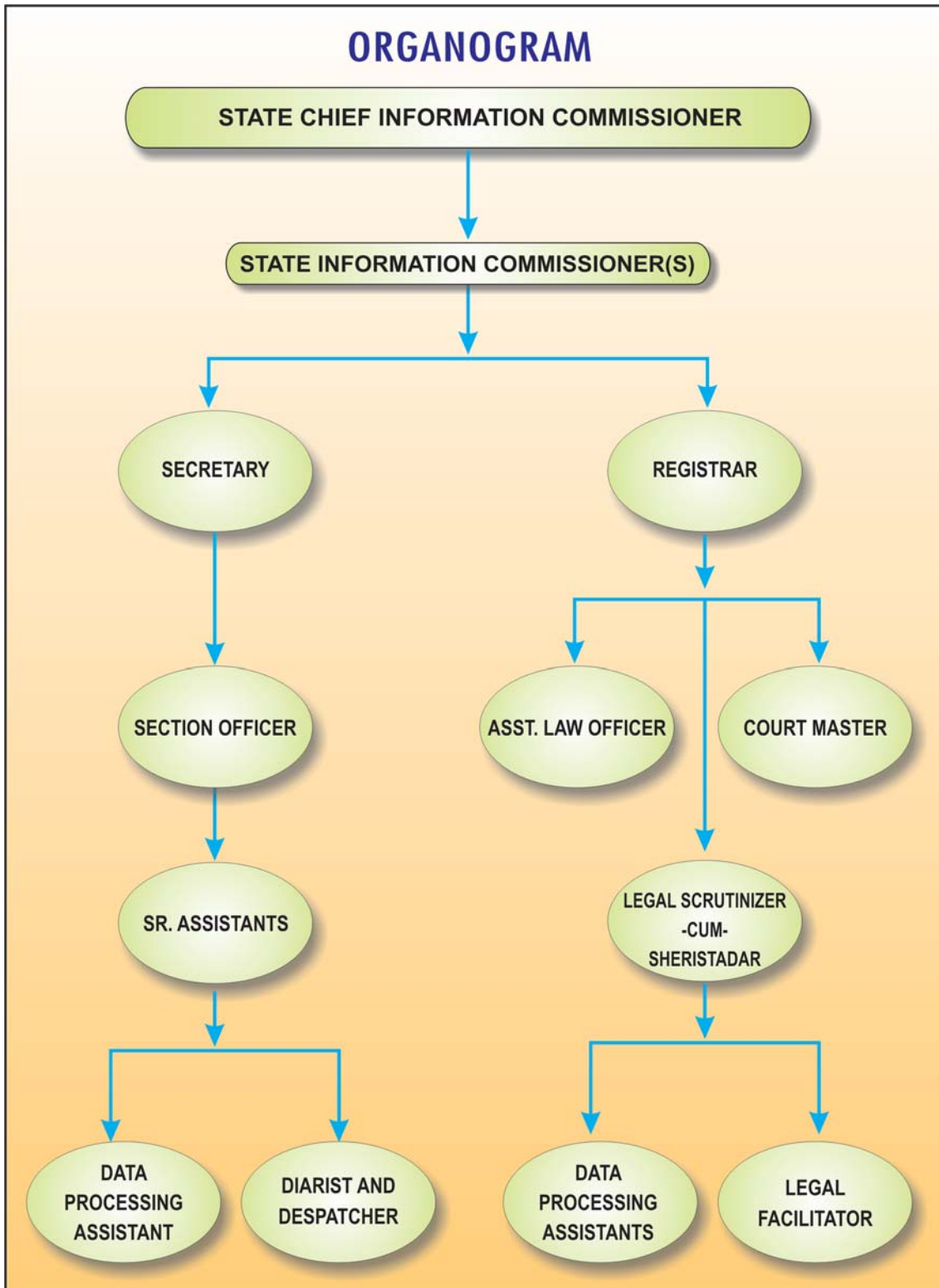
1. The Orissa Information Commission constituted under Section 15(1) of the Right to Information Act,2005 (22 of 2005) came into being with the swearing-in of Sri Dharendra Nath Padhi as the State Chief Information Commissioner, Orissa and Professor Radhamohan as the State Information Commissioner respectively on Sunday, 20.11.2005 by Governor of Orissa, His Excellency Sri Rameswar Thakur. The Orissa Information Commission (State Commission for short) now in its 3rd year of existence sustained its sincere efforts for proper implementation and enforcement of the Right to Information Act,2005 (Act for short).
2. While Sri Dharendra Nath Padhi continued as the State Chief Information Commissioner, Orissa during the year under report, Prof. Radhamohan after rendering more than two years of service as the State Information Commissioner relinquished the post on 30.1.2008 on attaining the age of 65 years as per provisions of Section 16(2) of the RTI Act,2005. Since then the post of the State Information Commissioner has remained vacant despite efforts of the State Commission at appropriate levels in the State Government. Sri Ashok Kumar Sahu,IAS and Sri Balunkeswar Khadenga, OSJS (Retd.) continued to function as the Secretary to the Orissa Information Commission and Registrar respectively.
3. During the year 2007-08, the State Commission continued its efforts to sensitize the people as well as the representatives of Panchayati Raj Institutions (PRIs) about the provisions of the RTI Act,2005 and the Orissa RTI Rules,2005 framed thereunder. The State Commission placed funds with the Collectors and District Magistrates of 19 districts of the State viz: Balangir, Boudh, Deogarh,Dhenkanal, Gajapati, Ganjam, Jharsuguda, Kalahandi, Kandhamal, Keonjhar, Koraput, Malkanagiri, Mayurbhanj, Nawrangpur, Nawapara, Rayagada, Sambalpur, Subarnapur and Sundargarh with instructions to invite not only the representatives of Panchayati Raj Institutions (PRIs) but also opinion-leaders, eminent citizens, Self Help Group (SHG) leaders, social activists, NGOs and others.
4. The State Commission conducted Revenue Divisional level meetings with the help of the Revenue Divisional Commissioners concerned to review implementation of the RTI Act,2005 and Orissa Rules framed thereunder within their territorial jurisdictions. Sri D.N. Padhi, State Chief Information Commissioner, Orissa attended the

review meetings of Central Revenue Division at Cuttack and Southern Revenue Division at Berhampur. Prof. Radhamohan, State Information Commissioner attended the review meeting of Northern Revenue Division, Sambalpur.

5. Since significant percentage of the State population are Scheduled Tribes, the State Commission translated the Frequently Asked Questions (FAQs) on the provisions of the RTI Act,2005 and the Orissa Rules framed thereunder prepared in Oriya into eight tribal dialects in Oriya script viz: Santali, Sadri, Munda, Kui, Kuvi, Koya, Saora, Desia and got them printed for distribution among the tribal people of the State in order to enlighten them about the utility of the Act and the Rules. Besides, four posters on Right to Information Act prepared in Oriya were also translated into these tribal dialects and printed for display in the premises of various offices implementing several programmes of the Government and commonly visited by the people of the locality.
6. The State Commission also sent recommendations to the State Government for better implementation of the RTI Act,2005 in the State, the list of which is indicated in this report. (reference chapter 11)
7. Since the tribal communities have immense faith on their traditional leaders, Orissa Information Commission decided to organize workshops for such tribal secular heads, tribal students, non-

student educated tribal youths, tribals who have been associated with Joint Forest Management Society and Community Forest Management Society in order to create awareness amongst them on the provisions of the Right to Information Act,2005 and to disseminate the message of the Act. Necessary funds were placed with the Academy of Tribal Dialects and Culture,Orissa,Bhubaneswar to organize the programmes.

8. The International Bank for Reconstruction and Development (World Bank) extended invitation to Sri D.N.Padhi, State Chief Information Commissioner, Orissa to visit their headquarters at Washington DC, USA as Orissa State was recognized by them as a leader in implementation of the RTI Act, 2005, to make a presentation to their staff on implementation of the Right to Information Act,2005 with special reference to Orissa. He visited them on October 11, 2007 and made presentations on the RTI Act, 2005 as well as shared the experience of Orissa State.
9. He also attended the 5th International Conference for Information Commissioners held at Wellington, New Zealand from November, 26th to 29th, 2007 being invited by the Chief Ombudsman, New Zealand on behalf of the Speaker of the New Zealand House of Representatives. The Conference was attended by Information Commissioners from all over the world.



PRO-ACTIVE DISCLOSURE UNDER SECTION 4 OF THE RIGHT TO INFORMATION ACT, 2005 OF ORISSA INFORMATION COMMISSION

ORISSA INFORMATION COMMISSION SECTION 4 (1)(b) (i)

Name of the Office - Orissa Information Commission

Address - State Guest House Annexe Unit-V, Bhubaneswar - 751 001

Functions : Orissa Information Commission has been constituted under Section 15(1) of the Right to Information Act, 2005 (Act 22 of 2005) vide Orissa Gazette Notification dated Oct 11, 2005. The State Commission's mandate is to exercise the powers conferred on, and to perform the functions assigned to it under the Act.

The Orissa Information Commission consists of—

- (a) State Chief Information Commissioner (SCIC), Shri D.N. Padhi, IAS (Retd.)
- (b) State Information Commissioner(s) (SICs) - Prof. Radhamohan, till 31.01.2008

Section 15(4) of the RTI Act, 2005 stipulates that the general

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

The Act enjoins upon the State Government to provide the State Chief Information Commissioner and the State Information Commissioner with such officers and employees as may be necessary for the efficient performance of their functions under this Act and the salaries and allowances payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed. The posts so far created by the State Government and filled in are as follows ;

Sl. No.	Designation of the posts	Pay scale of the post	No. Posts sanctioned	No. of the posts filled up
1	State Chief Information Commissioner	30,000/-(fixed)	1	1
2	State Information Commissioner	26,000/-(fixed)	1	1
3	Secretary	14300-400-18300	1	1
4	Senior PS	8000-275-13500	1	1
5	Private Secretary	7300-200-10500	1	1
6	Personal Assistant	5900-200-9700	3	3
7	Asst. Law Officer	5500/-(fixed)*	1	1
8	Section Officer	5900-200-9700	1	1
9	Senior Assistant	4750-125-7500	4	3

* Appointed on contract basis

POSTS CREATED BY THE STATE GOVERNMENT ON CONTRACTUAL BASIS

Sl. No.	Designation of the posts	Contract Remuneration	No. Posts sanctioned	No. of the posts filled up
1	Registrar	Rs.10,000/-	1	1
2	Principal Private Secretary	Rs.5,500/-	1	1
3	Court Master	Rs.5,000/-	1	1
4	Data Processing Assistant	Rs.3,500/-	2	2
5	Peons	Rs.2,500/-	6	4
6	Sweeper-cum-Night Watchman	Rs.2,500/-	1	Vacant

APPOINTMENTS MADE IN EXERCISE OF POWERS VESTED U/S 15(4) OF RTI ACT, 2005 ON CONTRACT BASIS

Sl. No.	Designation of the posts	Contract Remuneration	No. of the posts filled up
1	Personal Asst.	Rs.3,500/-	1
2	Legal Scrutinizer-cum-Sheristadar	Rs.3,000/-	1
3	Legal Facilitator	Rs.3,300/-	1
4	Data Processing Asst.	Rs.3,500/-	2
5	Driver	Rs.3,000/-	2

NODAL GOVERNMENT DEPARTMENT

The budget for the State Commission is published in the budget book pertaining to Information and Public Relation Department, Govt. of Orissa .The Budget Head is Demand No.25-2251-Secretariat-Social Services-State Plan-090 Secretariat 1833-Orissa Information Commission Establishment.

REPORTING TO WHICH AUTHORITY

Though the budget for the State Commission is published in the budget book pertaining to Information and Public Relation Department, Govt. of Orissa, the State Commission enjoys complete autonomy and only forwards its Annual Report under Section 25(1) of the Act to the Orissa Government.

JURISDICTION

All Public Authorities functioning all over Orissa and their offices outside the State are legally obliged to implement the provisions of the Act. The definition of Public Authority includes NGOs substantially funded, directly or indirectly, by the State Govt.

MISSION

Ensure the citizens their Right to Information from Public Authorities in accordance with the provisions of the Act.

VISION

Transparent functioning of Public Authorities for achieving the true aim and objective of the Act, accountability in the working of every Public Authority and also to contain corruption.

OBJECTIVES

Fulfilling the statutory mandates of the Act.

DETAILS OF SERVICES PROVIDED / DUTIES

As per the Act, the State Commission has been vested with powers of receiving Complaints and Second Appeals, for providing relief to the Complainants and Appellants in accordance with the provisions of the RTI Act,2005 read with the Orissa RTI Rules,2005 framed by the State Government and the Orissa Information Commission (Appeal Procedure) Rules,2006.

SECTION 4 (1)(b) (ii)**POWERS AND DUTIES OF OFFICERS AND EMPLOYEES**

Sl. No.	Designation	Powers and Duties
1	State Chief Information Commissioner (SCIC)	General superintendence, direction and management of the affairs of the Orissa Information Commission which receives Second Appeals and Complaint Cases under the Act-refer Section 15(4) of the R.T.I. Act, 2005
2	State Information Commissioner (SIC)	Assist the SCIC.
3	Secretary	Administrative matters of the State Commission.
4	Registrar	Legal Matters as provided in the Orissa Information Commission (Appeal Procedure) Rules, 2006 and jobs allotted by the SCIC.
5	Principal Private Secretary to State Chief Information Commissioner	Secretarial Assistance including diary, dispatch and any other work assigned in routine course.
6	Senior Private Secretary to S.I.C	-do-
7	Private Secretary to Secretary	-do-
8	PA to SCIC	-do-
9	PA to SIC	-do-
10	PA to Secretary	-do-
11	Asst. Law Officer	Render assistance to the Orissa Information Commission in disposal of Complaint Cases and Second Appeals
12	Court Master	-do-
13	Legal Scrutinizer-cum-Sheristadar	-do-
14	Section Officer	General superintendence and discipline of office work
15	Senior Assistants	Assistance to Secretary

SECTION 4(1)(b)(iii)
PROCEDURE FOLLOWED IN THE
APPEALS AND COMPLAINTS UNDER
RTI ACT, 2005

The State Commission receives Complaints under Section 18 of the RTI Act. The Complaint is placed before the State Chief Information Commissioner .The SCIC may order an inquiry as he deems fit. Generally, the SCIC may seek comments of the Public Authority against which complaint has been received and arrive at a suitable decision as per the provisions of the Act. Complainant may choose to appear or not on the date of hearing vide Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006.

The State Commission receives appeals against the orders of the First Appellate Authority under the Section 19(3) of the RTI Act, 2005. This is placed before the State

Chief Information Commissioner who alongwith the companion State Information Commissioner, if any, dispose of the appeal as per Orissa Information Commission (Appeal Procedure) Rules, 2006 either in a Division Bench or in a Single Bench. Since the object of the Act is to make public all information except those exempted under the Act, the State Commission have decided to hear both the parties. The appellant may or may not appear on the date of hearing the terms of Rule 9(2) of the Appeal Procedure Rules without adversely effecting the merits of his/her case. In any case the appellant is noticed to present his/ her case and if the State Commission sees merit in the SPIO's arguments in denying information sought, the appellant will be given an opportunity to present his case in person or through any person appointed in this regard before the Commission for a final decision.

Sl. No.	Details of Activity in the Commission	Decision making Process	Authority Responsible for that Activity
1	Complaints under Sec. 18	<p>Stage 1: Comments of SPIO sought (Fifteen days from receipt of Commission's Orders)</p> <p>Stage2: Further Inquiry or Hearing as per the directions of OIC</p> <p>Stage 3: Final Decision</p>	
2	Appeals under Section 19	<p>Stage 1: Preliminary hearing of the PIO /1st Appellate Authority</p> <p>Stage2: Further hearing if required as per the directions of OIC.</p> <p>Stage 3: Final Decision.</p>	<p>Stage 1: As per orders of OIC, the Registrar may issue notice to SPIO for preliminary hearing.</p> <p>Stage 2 and 3: As per directions of OIC</p>
3	Annual Report	I & PR Department (Nodal Department) has been requested to send statutory information for the financial year ending in March by April 15th as prescribed in Section 25 of the RTI Act for forwarding it as part of the Annual Report of the State Commission to the appropriate Government which will be placed before Orissa Legislative Assembly.	To be coordinated by the Administrative Wing in the State Commission.
4	Procuring Goods and Services	As per General Financial Rules and Delegation of Financial Powers Rules (DFPR)	Secretary of the State Commission with approval of Hon'ble SCIC
5	General Administration of the State Commission		As per delegation of Administrative powers by the State Commission under Section 15(4)

SECTION 4(1)(b) (iv)

NORMS SET FOR DISCHARGE OF FUNCTIONS IN OIC

OIC has decided to

- (i) Take up Public Interest Cases (PICs) on short datelines on a fast-track disposal basis.
- (ii) Single Bench disposals are also envisaged in addition to Division Bench consisting of both the SCIC and the SIC.

SECTION 4(1)(b) (v)

LIST THE RULES / REGULATIONS / INSTRUCTIONS / MANUALS / RECORDS HELD IN OIC FOR DISCHARGING ITS FUNCTIONS

1. The Right to Information Act (RTI), 2005
2. The Orissa Right to Information Rules, 2005
3. The Orissa Information Commission (Appeal Procedure) Rules,2006
4. Civil Procedure Code,1908
5. Secretariat Instructions
6. Records Manual of the Board of Revenue
7. All important National and State Laws/Rules

Sl. No.	Subject	Type of Document file/muster/register/voucher etc	Particulars of Heading/type in the document	Periodicity of preservation
1	Second Appeals	Files	Section 19(3) of RTI Act	Not yet decided
2	Complaints	Files	Section 18 of RTI Act	do
3	General/Miscellaneous	Files/Folders	General Matters related to RTI or Miscellaneous non RTI matters	do
4	Administration	Files	Files related to administration in the Commission	do
5	Annual Report	File	Material furnished by different Departments for Annual Report	do

SECTION 4(1)(b) (vi)

Legal documents/records in connection with complaint cases and second appeals received at the level of the Orissa Information Commission.

SECTION 4(1)(b)(vii)

The primary function of the State Commission is public in nature. All hearings of the Commissions are open to general public. Time and again individuals and groups of members of the public seeking any discussion are given opportunity to put forward their standpoints to the State Commission either through personal contact or interactive workshops.

SECTION 4(1)(b)(viii)

There is no Board / Council / Committee set up as yet to advise the State Commission. However, the matter is under active consideration.

SECTION 4 (1)(b) (ix)

Directory of the officers and employees:

SECTION 4 (1)(b) (x)

Details of remuneration of officers and employees

As per provisions u/S16(5) of the RTI Act, 2005, the salaries and allowances payable to and other terms and conditions of service of -

- (a) The State Chief Information Commissioner shall be the same as that of an Election Commissioner;
- (b) The State Information Commissioner shall be the same as that of the Chief Secretary to the State Government:

Provided that if the State Chief Information Commissioner or the State Information Commissioner, at the time of his appointment is, in receipt of a pension, other than a disability or wound pension, in respect of any previous service under the Government of India or under the Government of a State, his salary in respect of the service as the State Chief Information Commissioner or State Information Commissioner shall be reduced by the amount of that pension including any portion of pension which was commuted and pension equivalent of other forms of retirement benefits excluding pension equivalent of retirement gratuity:

Sl. No.	Name and Designation	Telephone Number		e-mail Address
		Old	New	
1	Shri D. N. Padhi, State Chief Information Commissioner	0674-2539007	0674-2572007	hon_scic@ori.nic.in
2	State Information Commissioner	0674-2395631	0674-2573815	sic@ori.nic.in
3	Shri A.K. Sahu, Secretary	0674-2396712	0674-2573814	secy_ic@ori.nic.in
4	Shri B. Khadenga, Registrar	0674-2395048	0674-2573403	

Please see details under the next Section.

Provided further that if the State Chief Information Commissioner or State Information Commissioner if, at the time of his appointment is, in receipt of retirement benefits in respect of any previous service rendered in a Corporation established by or under any Central Act or State Act or a Government company owned or controlled by the Central Government or the State Government, his salary in respect of the service as the State Chief Information Commissioner or State Information Commissioner shall be reduced by the amount of pension equivalent to the retirement benefits:

Provided also that the salaries, allowances and other conditions of service of the State Chief Information Commissioner and the State Information Commissioners shall not be varied to their disadvantage after their appointment.

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

The general superintendence, direction and management of the affairs of the State Commission shall vest in the State Chief Information Commissioner who shall be assisted by the State 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 under this Act.

THE SCALES OF PAY OF OFFICERS AND EMPLOYEES OF ORISSA INFORMATION COMMISSION ARE AS UNDER:

Sl. No.	Designation	Scale of Pay
1	State Chief Information Commissioner	30,000/- (fixed)
2	State Information Commissioner	26,000/- (fixed)
3	Secretary	14300-400-18300
4	Sr. Private Secretary	8000-275-13500
5	Private Secretary	7300-200-10500
6	Personal Assistant	5900-200-9700
7	Section Officer	5900-200-9700
8	Senior Assistant	4750-125-7500

SALARY DETAILS OF OFFICERS AND EMPLOYEES DRAWN FROM OIC

Sl. No.	Name and Designation	Gross Salary
1	Shri D.N. Padhi, SCIC	Rs.38,550/-
2	Prof. Radhamohan, SIC (till 30.1.2008)	Rs. 31,150/-
3	Shri A.K. Sahu, IAS ,Secretary	Rs.27,607/-
4	Shri B. Khadenga, Registrar	Rs.10,000/-
5	Shri G.N. Mohanty, Pr. PS	Rs.5,500/-
6	Shri B.P. Dash, Sr. PS	Rs.17,705/-
7	Shri P. K. Rath,PS	Rs.15,468/-
8	Shri T. Satyanarayan, PA to SCIC	Rs.12,762/-
9	Shri K.C. Barik, PA to SIC	Rs.13,077/-
10	Shri P.K. Mohanty, PA to Secy.	Rs.14,742/-
11	Shri S. Parida, Section Officer	Rs.12,524/-
12	Shri J. Sahoo ,Sr.Asst.	Rs.11,545/-
13	Shri Manas Ranjan Jena, Sr.Asst.	Rs.10,870/-
14	Shri R .R. Patra,Sr. Asst.	Rs.9,075/-
15	Shri U.K. Mohapatra,PA to Registrar	Rs.3,500/-
16	Shri P.R. Sahoo, Asst.Law Officer	Rs.5,500/-
17	Shri D.K.Pattnaik,Court Master	Rs.5,000/-
18	Shri P.C. Mohanty, Legal Scrutinizer-cum- Sheristadar	Rs.3,000/-
19	Shri Subrat Kumar Swain, Data Processing Assistant	Rs.3,500/-
20	Smt. Pushpalata Seth, Data Processing Assistant	Rs.3,500/-
21	Shri Krushna Chandra Mohapatra, Data Processing Assistant	Rs.3,500/-
22	Smt. Tilottama Mohanty, Data Processing Assistant	Rs.3,500/-
23	Shri Satyanarayan Mohapatra, Legal Facilitator	Rs.3,300/-
24	Shri Bibhuti Pattnayak, Driver	Rs.3,000/-
25	Shri Mangaraj Sahoo,Driver	Rs.3,000/-
26	Shri Ranjit Kumar Das,Peon	Rs.2,500/-
27	Shri Debendra Kumar Routray,Peon	Rs.2,500/-
28	Shri Subash Chandra Sinha, Peon	Rs.2,500/-
29	Shri Ramesh Chandra Mohapatra, Sweeper-cum-Night Watchman	Rs.2,500/-
30	Shri Mahendra Kumar Swain, Peon	Rs.2,500/-
31	Shri Ajaya Kumar Nayak, Telephone Attendant	Rs.1,200/-

SECTION 4 (1)(b) (xi)

Sl. No.	Budget Head description	In Thousand Rupees	
		Budget 2007-08 (RE)	Budget 2008-09 (BE)
1	01003 Salaries	3295	6936
2	06001 Travel Expenses	1103	1000
3	07001 Leave Travel Concession	300	700
4	08001 Office Expenses	4591	7547
5	09001 Rent, Rates & Taxes	720	16
6	78157 Training, Awareness and Campaign	700	500
7	78158 Organisation of Seminars and Workshops	2204	500
8	78159 Information, Education and Communication Activities	1705	1000
9	80001 Lump Provision	10000	8000
10	12009 Professional Services	700	800
11	11003 Advertisement	1	1
12	789 Special Component Plan for Scheduled Castes	672	1500
	78158 Organisation of Seminars and Workshops		
13	796 Tribal Areas Subplan		
	78158 Organistion of Seminars and Workshops	924	1500
	Total	2,69,15 (Rs. 2.6915 Crore)	3,00,00 (Rs. 3 Crore)

ADDITIONAL DISCLOSURE U/S 4(1), RTI ACT, 2005

Statement showing unit wise surrender statement under “Demand No. 25-2251-Secretariate-Social Services – State Plan -090-Secretariat -1833-Orissa Information Commission Establishment” for the year 2007-08.

In thousand Rupees

Unit of Expenditure	Budget Provision for 2007-08	Modified by supplementary or reappropriation	Final Grant	Expenditure	Amount Surrendered	Reason for surrender
136-Pay	1400	(+)138	1538	1455	83	(a) Non filing up of the vacancy in the post of State Information Commissioner. w.e.f. 31.01.08.
147-Dearness Pay	700	(+)150	850	817	33	
156-Dearness Allowance	300	(+)702	1002	991	11	
403-House Rent Allowance	140	-	140	125	15	
06001-Travel Expenses	1000	(+)103	1103	845	258	(b) Non sanction by Govt. of post of F.A. cum-Deputy Secretary. Due to economy measures in the State Commission.
074-Electricity due	220	(-)180	40	38	2	
149-Water Charges	12	(-)10	2	-	2	
154-Telephone Charges	200	(+)53	253	236	17	
397-Motor Vehicle	800	(-)271	529	505	24	
09001-Rent Rates and Taxes	720	(-)450	270	269	1	
11003-Advertisement	1	-	1	-	1	
12009-Professional Services	700	(-)660	40	39	1	
80001-Lump Provision	10000	(-)9999	1	-	1	
Total					449 (Rs. 4.49 lakh)	

SECTION 4 (1)(b) (xii)

(a)Manner of execution of subsidy programmes : The State Commission does not implement any subsidy programme.

(b)Details of beneficiaries of subsidy programmes : Not Applicable

SECTION 4 (1)(b) (xiii)

Particulars of recipients of concessions permits or authorization granted in the State Commission : Not applicable

SECTION 4 (1)(b) (xiv)

Details of information available in electronic form in Orissa Information Commission.

Please visit website www.orissasoochanacommission.nic.in for details. However, some highlights are

Sl. No.	Type of Document	Sub Topic	In which electronic format it is kept	Mode of retrieval	Person in Charge
1	Right to Information Act, 2005 and Orissa Right to Information Rules, 2005 (in Oriya and English)		On website www.orissasoochanacommission.nic.in	Internet	(NIC)
2	Orissa Information Commission (Appeal Procedure) Rules, 2006		-do-	-do-	-do-
3	Decisions of OIC		-do-	-do-	-do-
4	Frequently Asked Questions on the RTI Act,2005 (Oriya)				-do-

SECTION 4 (1)(b) (xv)

The particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use;

The State Commission has engaged a Legal Facilitator to help the citizens to fill up forms, as and when necessary and clarify their doubts. It has a small library. Officers of the State Commission are also available on telephone and personally from 10.00 a.m. to 5.00 p.m. (Monday to Saturday except Holidays).Information can also be obtained on the toll-free telephone Helpline 1800-3456777 installed by the State Commission in the premises of the Indian Institute of Public Administration (Regional Branch),Unit-I, Bhubaneswar and from the website www.orissasoochanacommission.nic.in

SECTION 4 (1)(b) (xvi)

The names, designations and other particulars of Public Information Officer/ First Appellate Authority of the Orissa Information Commission

Public Information Officer : **Shri Samarendra Parida,**
Section Officer,
Orissa Information Commission,
State Guest House Annexe,
Unit - V, Bhubaneswar-751001,
Email Id:orissasoochana@ori.nic.in

First Appellate Authority : **Shri A.K. Sahu, IAS**
Secretary,
Orissa Information Commission,
State Guest House Annexe,
Unit - V, Bhubaneswar-751001,
Email Id:secy_ic@ori.nic.in

SECTION 4 (1)(b) (xvii)

1. The State Commission has provided all information on the website and also through all its publications, both in Oriya and English.
2. Highlights of decisions and penalties imposed are indicated on the website, updated weekly.
3. All decisions in respect of Complaint Cases and Second Appeals are also posted on the website.
4. Home page of the State Commission website provides "Links" to important State and National level websites

HIGHLIGHTS OF IMPORTANT DECISIONS OF THE ORISSA INFORMATION COMMISSION

Second Appeal No.89/2006

Bhagaban Behera -Vrs- Public Information Officer, General Administration Department and another.
Date of Decision - 17.10.2006

“Assuming that the Public Authority is very fair and objective in its commission, there is no need to cover the information under a veil of secrecy. Both the forums below have withheld the information possibly under the impression that remarks in CCRs are not to be disclosed. That was the position till the coming into force of the RTI Act, 2005. When adverse remarks can be communicated, then why not the non-adverse remarks when Government hope that the Government servant will improve in future? Positive and encouraging remarks will motivate the staff/officials to exhibit higher level of personal performance. There is no provision in the RTI Act, which exempts or prohibits sharing of such an information.”

Complaint Case No.127/2006

Banshidhar Acharya -Vrs- Public Information Officer, Office of the Block Development Officer, Kujanga
Date of Decision - 23.11.2006

“Last but not the least there was ample debate regarding the deposit of application fee by sending Money Order. Rule 4 of the Orissa Right To Information Rules,2005 is

clear and express. Application fee can be deposited in cash. No where in the said Rule the Complainant has been asked to deposit the money in person. Therefore, there is no legal difficulty in receiving Money Order through the Postal Department which is cash. Such unfounded doubts should not be entertained by the PIO of the Public Authority.”

Complaint Case No.125/2007

Paramananda Nayak -Vrs- Public Information Officer, Office of the Chief District Medical Officer, Jajpur
Date of Decision - 6.7.2007

“Complainant mentioned that as he was deliberately harassed and humiliated by the Office of the Chief District Medical Officer, he is entitled for a compensation of Rs.30,000/-. The State Commission after hearing the parties directed the Chief District Medical Officer of the Public Authority to pay Rs.1,500/- as compensation to the Complainant by 06/09/2007 and report compliance to the State Commission through the Registrar.”

Second Appeal No.70/2007

Nigamananda Panda -Vrs-Public Information Officer, Orissa Public Service Commission, Cantonment Road,Cuttack and another.
Date of Decision - 7.8.2007

“The State Commission, therefore, while

accepting the contentions of the Appellant in the context of the RTI Act, 2005 (Act 22 of 2005) direct the PIO, Orissa Public Service Commission, Cuttack to provide photocopies of the answer sheets of the OJS examination 2003-04, as requested by the Appellant, free of cost in view of the delay, within 15 days that is by 22/08/2007 and report compliance to the State Commission through the Registrar. He is simultaneously directed not to disclose the names and addresses of Examiner(s), Chief Examiner(s) and Scrutinizer (s) etc whose equation with the OPSC is/was of a fiduciary nature.”

Second Appeal No.189/2006

**Prafulla Behera-Vrs-Public Information Officer,Office of the Tahasildar, Hinjilicut, Ganjam District
Date of Decision - 29.8.07**

“Here occurs a conflict between Law and Justice as to whether the beneficial provisions made in the Act for citizens belonging to BPL category can also be extended to AAY beneficiaries. The issue of interpretation of words employed in the statute has been set at rest by Hon'ble Supreme of India in the decision reported in AIR, 1987 SC 248 (at page-250) H. Shiva Rao and others Vrs. Cecilia Pereira and others. It has been held that if some expressions appear to be ambiguous, the construction, which fulfills the sacrosanct aim and object of the Legislation must provide the key to its meaning in as much as the adjudicating Authorities are not to make a mockery of legislation but should take a constructive approach and, if necessary, iron out the creases. Taking aid

of the above stare-decisis of the Hon'ble Apex Court of the country, the State Commission instead of approaching the case from any narrow, pedantic and literal construction is of the holistic view that the intention of the framers of the Special law can be well served if persons belonging to both BPL and AAY category are treated at par and the exemption granted to BPL category in the Act/Rules is affirmatively applied to AAY category citizens.”

Complaint Case No.194/2006

**Aswini Kumar Tripathy-Vrs- Public Information Officer, Orissa Administrative Tribunal, Bhubaneswar.
Date of Decision - 5.10.07**

“It has been observed in our order dated 23/08/2007 (paragraph-4) that no PIO was designated by the Tribunal as on 30/12/2005. Thus Shri Panda was not aware of his legal obligations as the referred PIO u/S 5(4) and 5(5) of the Act. The submission of Shri Panda is corroborated by the copy of the office order no. 6603 dated 12/09/2006 of the Tribunal available on record.

PIO Smt. Debadutta Devi admits to the above factual position that the Tribunal complied with the provisions of Section 5 of the Act only on 12/09/2006 and prior to that no PIO/ First Appellate Authority were designated in the Tribunal.

From the above discussed factual position indicated by the PIO, the delay caused in the case cannot be attributed either so Smt. Debadutta Devi, Deputy Registrar or to Shri H.K. Panda, ex-Senior Assistant.”

ACTION UNDER THE RTI ACT, 2005 AND THE ORISSA RTI RULES, 2005

1. The State Commission took steps for early disposal of cases involving urgency. It has taken a holistic view of the provisions of the Act and the Orissa Rules framed by the State Government and have adopted a balanced approach in examining and interpreting the provisions of the Act, the Rules and the legal boundaries thereof. Whenever anomaly, ambiguity, absurdity, hardship, redundancy or repugnancy has been noticed in the Rules framed by the Orissa Government, an interpretation which would lead to absurdity has been avoided and the inadequacies noticed have been interpreted strictly in accordance with the stare decisis pronounced by Hon'ble Supreme Court and reported in 2007(3) SCC at page 169.
2. Often complaints /second appeals are received in the State Commission involving request of students and other examinees for photo copies of answer scripts in examinations appeared. Early disposal of such cases would facilitate safeguarding their future interest either in relation to higher education or getting a job. Such cases have been treated as urgent cases and given priority for early disposal.
3. Copies of the answer scripts of the related examination have been supplied to the concerned examinee under the orders of the State Commission. Some Public Authorities have also impugned the directions of the State Commission by filing writ applications before the Hon'ble High Court, Orissa wherein the related proceeding before the State Commission has been stayed by interim orders.
4. The State Commission have always adhered to the due compliance of the principles of natural justice. It has kept itself free from bias or pre-conceived notion. All persons affected have been

given adequate opportunities of being heard and no one has been punished without being heard.

5. In the meantime more than two years have elapsed since the date of implementation of the Act. At the initial stage, commission of errors by the PIOs and the First Appellate Authorities were noticed. Whenever upon hearing the parties such error has been opined by the State Commission as unintentional, the person committing the error has been pardoned. Any error having semblance of foul blemish has never been pardoned and the erring official(s) have been taken to task. Currently, such erratic commissions and omissions adversely affecting the implementation of the provisions of the Act have been drastically reduced which is only consistent with enhancement of their awareness about the provisions of the Act and the Orissa Rules. The State Commission now find that the PIO(s) including referred/transferee PIO(s) have been taking urgent steps in parting with permissible information under the Act to the seeker thereof in due compliance of the provisions of Section 7(1) of the Act. The above is a gesture,

consistent with due implementation of the provisions of the Act and the Rules.

6. In some cases it is noticed that the Public Authorities including Departments of the Government have failed to understand the concept of referred PIO(s). Where the PIO on receipt of the application for information marks it to another officer to provide information, the officer whose assistance is so needed by the PIO under Section 5 (4) of the Act is treated as the PIO for that case under Section 5(5) of the Act. Such provision has been incorporated in the Act with the intention that the right guaranteed to a citizen of India under Section 3 of the Act shall not be defeated by any evasive reply of the PIO. It is high time for the Public Authorities to make radical changes in their practice in relation to maintenance and management of records maintained by them in due course of their official business. They should equally train the employees working in their Public Authority, so that the duties and responsibilities of the PIOs, APIOs, referred / transferee PIOs and the 1st Appellate Authorities are well understood by them as a result of which

violation of the provisions of the Act can be well obviated and the implementation of the RTI Act made effective.

7. It is high time for the Public Authorities to understand the overriding effect of this Act over any other law for the time being in force and any instrument having effect by virtue of any law. If any provision appears in any other law or instrument which is inconsistent with the provisions of this Act they are to be ignored. Provisions inconsistent with the Act appearing in the Official Secrets Act, 1923 have also been overridden by the provisions of this Act. Once the Public Authorities understand the implication of the above prescribed mandate enshrined in Section 22 of the Act, they will commit no violation of any of the provisions of the Act and at the same time the risk of payment of compensation for the proven loss and detriment suffered by the seeker(s) of the information will also be avoided. Needless to highlight that in many cases the State Commission, after having noticed lapses committed by the Public Authorities, have imposed compensation on such Authorities
8. While adopting the Rule of parity in relation to the provisions of the Act applicable to persons belonging to BPL category, the cases of persons belonging to Antodyaya Anna Yojana (AAY) category who are economically inferior to BPL category have also been taken into consideration. The State Commission in their decision dated 29.08.07 pronounced in open proceedings in Second Appeal No.189 of 2006 have given a sensible interpretation for treating persons of AAY category at par with persons of BPL category in the context of application fee.
9. The PIO and the First Appellate Authorities have often taken the stand that CCRs / ACRs cannot be disclosed to the person concerned since they are personal information pure and simple having no relation to any public activity or interest. In essence the exemption enshrined in Section 8(1) (j) has been

payable to the person aggrieved. In good number of cases such Public Authorities have paid the compensation amount to the aggrieved citizen.

pressed into service by them for claiming immunity. Such stand by the above officials has been turned down by the State Commission. Some Public Authorities have provided the copies of the CCRs/ACRs to the concerned person and some have also approached the Hon'ble High Court by invoking its writ jurisdiction in which the related proceeding in the State Commission has been stalled by interim prohibitory orders.

10. Adjudicatory Institutions such as Orissa

Administrative Tribunal and Office of the Commissioner of Endowments Orissa, Bhubaneswar have also been made answerable to the violation of the provisions of this Act committed by their officials. They have also been taken to task by the State Commission.

11. All attempts have been made by the State Commission to secure access to information for every citizen in order to promote transparency and accountability in the working of the Public Authorities.

DISPOSAL OF COMPLAINT CASES AND SECOND APPEALS

1. The State Commission have disposed of Complaint Cases and Second Appeals after giving due opportunity of hearing to both Complainants/ Appellants and the Opposite Parties / Respondents. During the year 2007-08, the State Commission have received 2051 Complaint Cases and 449 Second Appeals. Over and above by the end of 2006-07, 645 Complaint Cases and 160 Second Appeals were pending in the State Commission for disposal. Thus, the total number of Complaint Cases and Second Appeals for disposal worked out to 2696 and 609. Out of the same, 643 Complaint Cases and 166 Second Appeals have been disposed of by the State Commission and the details thereof have been indicated in Annexure- V.
2. On receipt of Complaints under Section 18 of the RTI Act, 2005 (Act for short) and / or memoranda of Appeal under Section 19(3) of the Act, these are

registered in the State Commission and assigned consecutive serial numbers. On scrutiny, if the Complaints / Appeals are found to be defective and the defects noticed are formal in nature, the Registrar of the State Commission allows the parties to rectify the same in terms of the Orissa Information Commission (Appeal Procedure) Rules, 2006.

Then in conformity with Rules 4,5, and 6 *ibid*, the Cases and Appeals are placed before the State Commission for admission. After admission, notices are issued to the parties concerned.

According to the procedure approved by the State Commission, hearing of cases is taken up on “first come first serve” basis.

However, the State Commission have decided to give priority for disposal of public interest (PICs) and urgent cases on fast track basis.

PENALTIES IMPOSED AND COMPENSATION AWARDED ON PUBLIC AUTHORITIES

1. The State Commission in exercise of the powers under Section 20(1) of the RTI Act, 2005 have imposed penalties on the erring Public Information Officers and referred Public Information Officers by following due process of law. The details are indicated at Annexure-I

Further, the State Commission in order to ensure proper implementation of the provisions of the RTI Act, 2005 (Act for short) by the Public Authorities have taken number of Public Authorities to task and ordered to compensate the complainants/appellants for the loss or detriment suffered as mandated under section 19(8)(b) of the Act. The details of such cases are indicated at Annexure - II.

2. Subject to the provisions contained in Section 20 (1) of the Act, penalty is imposed on the erring Public Information Officers (PIOs for short)

and the officials of the Public Authority treated as PIOs u/S 5(5) of the Act. As per Rule 9 of the Orissa Right to Information Rules, 2005 (Rule for short) such PIOs may deposit the penalty amount by treasury challan under the receipt head "0070-Other Administrative services-60-Other Services-118-Receipt under Right to Information Act, 2005-0014-Collection of Fees and Fines-02178-Fees and Fines under Right to Information Act, 2005" of the State Budget within a period of 30 days failing which the amount shall be recovered from the salary of the Officer concerned. Thus the responsibility of recovery of the penalty imposed rests with the Head of the Public Authority.

3. Additionally the recovery of the cash penalty imposed on such PIOs is also monitored at intervals by the Secretary, Orissa Information Commission by holding meetings with the officials of the concerned Public Authorities.

INFORMATION, EDUCATION AND COMMUNICATION (IEC) ACTIVITIES

1. SHORT FILMS ON RTI ACT

At the behest of the Orissa Information Commission, Orissa Remote Sensing Application Centre (ORSAC), Bhubaneswar selected ten scripts to be prepared as short films on the subject of effect of the Right to Information Act, 2005 in the matter of getting information on implementation of various Government schemes. ORSAC has entrusted 6 producers to prepare the films. The cost of the episodes will be borne by ORSAC.

2. ORGANISATION OF WORKSHOPS OF ARTISTS

(i) An amount of Rs.27,000/- was placed

by the State Commission with the Orissa Lalit Kala Academy, Bhubaneswar to organize All Orissa Artists' camp, Seminars and Exhibitions on the theme of the RTI Act, 2005. The seminar and camp was inaugurated by Prof. Radhamohan, former State Information Commissioner on August 5, 2007 at Dhauli College of Art and Craft, Bhubaneswar.

(ii) 30 students from different Art Colleges in the State had participated in the camp. Their paintings drawn during the camp were displayed on 6.8.07 in the exhibition for public viewing at the Sanskruti Bhawan, Bhubaneswar.



Prof. Radhamohan, State Information Commissioner inaugurating the workshop for Artists.

3. EFFORTS TO ENLIGHTEN THE TRIBAL PEOPLE

- (i) Most of the tribal people need to be sensitized about their own rights and responsibilities as well as Government Welfare programmes. In that respect the RTI Act, 2005 is a vital instrument for upliftment of their livelihood. As the tribal people belong to different language groups having own spoken languages, it was decided by the State Commission to render the Right to Information Act, 2005 related **Frequent Asked Questions (FAQs)** into different major tribal languages enabling smooth access to various provisions of the Act and the Orissa Rules framed thereunder.
- (ii) The districts in which the major 8 tribal languages are mostly spoken are indicated below:

Sl No.	Tribal Language	Districts
1.	Santali	Mayurbhanj
2.	Sadri	Sundargarh, Jharsuguda
3.	Munda	Mayurbhanj, Keonjhar, Sundargarh
4.	Kui	Kandhamal, Kalahandi
5.	Kuvi	Rayagada
6.	Koya	Kalkanagiri
7.	Saora	Ganjam, Gajapati
8.	Desia	Koraput, Nawrangpur, Malkanagiri

- (iii) Keeping this in view, the State Commission placed Rs. 5,94,000/-with the Director, Academy of Tribal Dialects and Culture, Orissa, Bhubaneswar for rendering FAQs on RTI from oriya into eight tribal languages (Santali, Sadri,



Prof. Radhamohan, State Information Commissioner participating in workshop for rendering F.A.Q. on R.T.I. from Oriya into Tribal Languages.

Munda, Kui, Kuvi, Koya, Saora and Desia) awareness generation training to tribal secular Head, community mobiliser, magico Religios specialist etc. on the RTI Act,2005, organisation of Tribal mahasava of tribal communities for providing orientation to community leaders, training to tribal students, non-student educated tribal youths, tribals associated with Joint Forest Management Society, Community Forest Management Society etc.

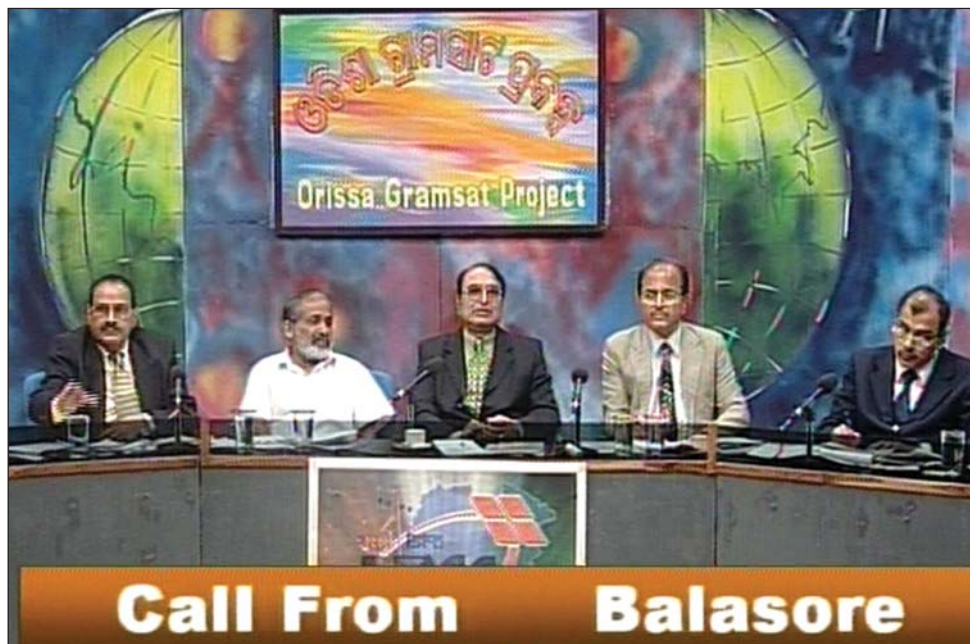
- (iv) (a) The State Commission has also placed Rs. 2, 67,000/- with the Director, Scheduled Castes and Scheduled Tribes Research and Training Institute (SCSTRTI), Bhubaneswar to hold two-day Orientation and Training Programmes on RTI Act,2005 for different stakeholders working in the

tribal pockets of the State to make them conversant with the provisions of the Act.

(b) Government officials like District Welfare officers, Assistant District Welfare officers. Project Administrator of ITDAs, Headmasters of Higher Secondary Schools including the EMRs under SSD Department, PRI members, Panchayat Samiti Chairman of all the 118 Tribal Development Blocks, NGO personnel working in tribal pockets, Presidents of women SHG Groups, MLAs belonging SC/ST category etc. are intended to be enlightened about the provisions of the Act.

4. GRAMSAT PROGRAMME

Three Interactive programmes on the RTI Act,2005 under GRAMSAT



Interactive Programme on the R.T.I. Act, 2005 under GRAMSAT Programme on different themes, Chaired by Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa, and attended by Prof. Radhamohan, State Information Commissioner, Orissa, Sri Ashok Kumar Sahu, Secretary to the State Commission and Sri Balunkeswar Khadenga, Registrar

programme (using satellite INSAT -3B facilities in which GRAMSAT works under extended 'c' Band) were held with the help of Orissa Remote Sensing Application Centre (ORSAC) on 07.07.2007 , 03.11.2007 and 28.01.2008. All these interactive programmes, on different themes, were chaired by Shri D.N. Padhi, State Chief Information Commissioner, Orissa, and attended by Prof. Radhamohan, ex-State Information Commissioner, Shri Ashok Kumar Sahu, Secretary to the State Commission and Shri Balunkeswar Khadenga, Registrar. On 28.01.2008,

the role of the Public Authorities and their functionaries was vividly discussed with participants and their doubts clarified on implementation of the RTI Act, 2005 and Orissa Rules framed thereunder.

5. WORKSHOPS ON RTI HELD IN COLLABORATION WITH INDIAN INSTITUTE OF PUBLIC ADMINISTRATION, (RB), BHUBANESWAR.

- (i) An interactive workshop on RTI Act, 2005 was organized in the Institute of Mass Communication and Journalism, Dhenkanal on 08.09.2007 with collaboration of IIPA (RB),



State Level Workshop on RTI for Senior Citizens held at S.C.S. Autonomous College, Puri was attended by Shri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa

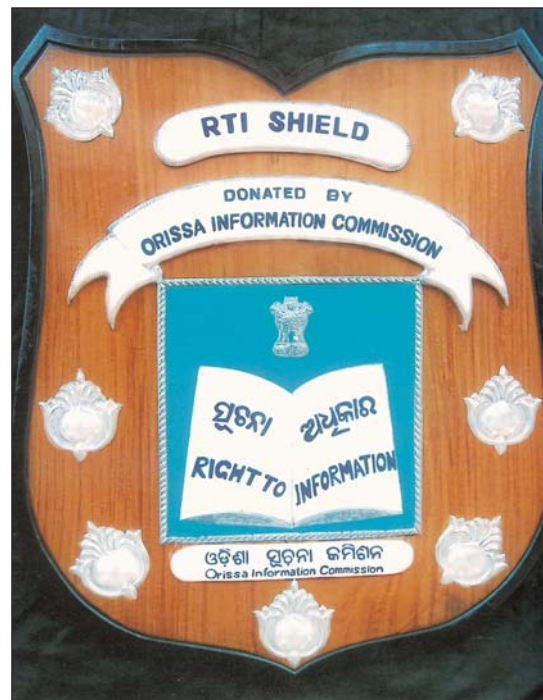
Bhubaneswar for Senior Citizens and the students, covering the entire spectrum of the society. 40 students also attended the seminar on the Right to Information Act as a part of their syllabus.

- (ii) Another workshop was organized by IIPA (RB), Bhubaneswar for Senior Citizens on 20.01.2008 in the premises of the S.C.S. Autonomous College, Puri.

Shri Dharendra Nath Padhi, State Chief Information Commissioner, Orissa attended both the workshops as the Chief Guest. The State Commission provided full financial assistance for organization of the two workshops as a spillover of the 2006-07 activities.

6. INSTITUTION OF RTI SHIELD

- (i) The State Commission decided to institute “RTI Shield” in the Ravenshaw University, Cuttack to promote Annual Inter University Debate Competition on English on any topic for the purpose of popularizing the theme of Right to Information. According to the scheme, participants adjudged First, Second and Third by the Jury are awarded cash prize of Rs.5000/-, Rs.3000/- and Rs.2000/- respectively alongwith Certificates of Merit by the Ravenshaw University. The Best Debator would receive the “RTI Shield”.



*RTI Shield donated by
Orissa Information Commission*

- (ii) Accordingly, an MOU was signed between the State Commission and the Ravenshaw University, Cuttack on 18.04.2007. An endowment of Rs.3,00,000/- was sanctioned and placed with the Ravenshaw University for making fixed deposit in a nationalized bank. The expenditure for conducting such debate competitions annually shall be met out of the interest accrued from the fixed deposit of Rs.3,00,000/-. To meet the expenditure on the competition in the current year an additional amount of Rs.24,000/- was placed with the Ravenshaw University, as an one-time support.



MOU for RTI shield being signed by Sri A.K. Sahu, Secretary to the State Commission and S. Mishra, Registrar Ravenshaw University.

(iii) The Ravenshaw University, Cuttack organized the 1st Inter University RTI Debate Competition on 27.12.2007 at the Ravenshaw University, Cuttack.

7. WORKSHOPS AT THE GRAM PANCHAYAT LEVEL

(i) The State Commission during the year placed funds with the respective Collectors of 19 Districts viz. Balangir, Boudh, Deogarh, Dhenkanal, Gajapati, Ganjam, Jharsuguda, Kalahandi, Kandhamal, Keonjhar, Koraput, Malkangiri, Mayurbhanj, Nawapara,

Nawarangpur, Rayagada, Sambalpur, Subarnapur and Sundargarh to organise workshops for representatives of Panchayati Raj Institutions at the Gram Panchayat level in order to enlighten them about the provisions of the RTI Act, 2005 and Orissa Rules framed thereunder.

(ii) Funds @ Rs.1000/- per Gram Panchayat was provided by the State Commission for the purpose. It was extended not only to sensitise PRI representatives but also other officers, citizens, self help groups, social activists etc.

8. WORKSHOP OF APIOS/PIOS AND 1ST APPELLATE AUTHORITIES UNDER H & U.D. DEPARTMENT

- (i) Housing and Urban Development Department organized workshop on RTI Act, 2005 for the APIOs/PIOs and 1st Appellate Authorities of the Urban Local Bodies and all Development Authorities

on 3.11.07 out of the funds placed with them by the Orissa Information Commission. The workshop was inaugurated by Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa and addressed by Prof. Radhamohan, Ex-State Information Commissioner.



*Sri D.N. Padhi, Hon'ble State Chief Information Commissioner; Orissa
Prof. Radhamohan, State Information Commissioner; Sri C.R. Behera, PIO, H & U.D. Department*



Participants at the RTI workshop

- (ii) The Principal Accountant General, Orissa, Bhubaneswar had invited Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa as the Chief Guest to address his officers on 8.10.07 on the multifarious implications of the Right to Information Act, 2005.



Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa and Sri Sanat Kumar Mishra, Principal Accountant General, Orissa, Bhubaneswar

- (iii) "Ama Adhikar" a Bhubaneswar based N.G.O. had organized a one day seminar for information seekers, information providers and Appellate Authorities in the context of



Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa attending the Workshop as Chief Guest

Capacity Building For Access to Information under the DoPT-UNDP Project. On invitation, Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa addressed the Workshop as the Chief Guest on 1.3.2008. "Ama Adhikar" had organized this workshop in collaboration with the Gopabandhu Academy of Administration, Bhubaneswar.

9. DISTRICT LEVEL WORKSHOPS

- (i) Since training of APIOs/ PIOs, 1st Appellate Authorities are of paramount importance for implementation of the provisions of the RTI Act, 2005, the State Commission encouraged all Collectors to organize workshops not only for the officers and officials involved in the process of providing information but also the social activists, lawyers, educationists, NGOs, opinion leaders etc.
- (ii) Funds @ Rs.10,000/- per District has been placed with all the Collectors of the State with instructions to utilise the funds quickly by holding workshops/seminars on RTI Act, 2005 and Orissa Rules framed thereunder and submit U.Cs. thereof alongwith two representative photographs and reports on the same indicating the feedback/suggestion made to the State Commission.

10. AWARENESS THROUGH PRASAR BHARATI

The State Commission entrusted Prasara Bharati Commercial Broadcasting Service, All India Radio, Cuttack for broadcasting spots / jingles on the RTI Act, 2005 during the running commentary made during Rath Yatra. An amount of Rs.13,371/- was placed with them for sponsorship of one hour of the programme.

11. PRINTING OF I.E.C. MATERIALS IN TRIBAL LANGUAGES

- (i) The State Commission assigned printing of the Frequently Asked Questions (FAQs) on RTI Act, 2005 in eight tribal languages viz: Santali, Sadri, Munda, Kui, Kuvi, Koya, Saora and Desia to the Orissa State Bureau of Textbook Preparation and Production under the Department of Higher Education, Government of Orissa. An amount of Rs.3,53,000/- was placed with them as advance for printing of the following quantity of booklets:

Tribal Language	No. of books
1. Santali	10000
2. Sadri	15000
3. Munda	10000
4. Kui	10000
5. Kuvi	10000
6. Koya	5000
7. Saora	10000
8. Desia	20000

- (ii) Besides, the posters in Oriya encouraging the people to utilise the RTI Act were also translated into these tribal languages and printed by the Orissa State Bureau of Textbook Preparation and Production on behalf of the State Commission and an amount of Rs.43,000/- was placed with them as advance for the purpose.
- (iii) All the printed materials were received and appropriately distributed within the State.

12. DISTRIBUTION OF THE BOOKLETS ON THE RTI ACT, 2005 AND THE ORISSA RTI RULES, 2005.

For better and early distribution of the booklets on the RTI Act,2005 as well as the Frequently Asked Questions (FAQs) in Oriya and the Orissa RTI Rules,2005, the Revenue Divisional Commissioners were requested to make arrangement for lifting of the same from the Government Press, Cuttack and the Orissa Information Commission. They were requested to assess the requirement of these booklets for the Districts under their jurisdiction and ensure speedy distribution among the targeted groups.

13. PRINTING OF I.E.C. MATERIALS

To create awareness on the provisions of RTI Act,2005 and Orissa Rules

framed thereunder, the State Commission had earlier printed a booklet namely “ସୂଚନା ଅଧିକାର ଆଇନ, ୨୦୦୫ ସଂପର୍କରେ କେତୋଟି ଜାଣିବା କଥା” in Oriya through Orissa State Bureau of Text Book Preparation and Production, Bhubaneswar, an organization under Department of Higher Education, Government of Orissa. It was felt necessary to reprint 1,00,000 copies of the above booklet. Accordingly an advance of Rs. 4,80,000/- was placed with Text Book Bureau to print the above quantity of books.

14. PRINTING OF RTI ACT,2005 AND ORISSA RTI RULES,2005

In order to meet the requirement of the general public for the RTI Act,2005, the State Commission decided to print 1,00,000 copy each of these booklets for distribution. An amount of Rs. 11,30,000/- has been placed with the Director, Printing, Stationery and Publication, Orissa as advance during the year.

15. AWARENESS THROUGH NATIONAL SERVICE SCHEME (NSS)

An amount of Rs. 50,250/- has been placed with the Programme Coordinator Nation Service Scheme (NSS), Sambalpur University, Jyoti Vihar, 17.

Sambalpur to impart training of NSS volunteers and Programme Officers of different Colleges under Sambalpur University on the provisions of the RTI Act, 2005 and the Orissa Rules framed thereunder. It has been instructed to furnish details of the programmes organized, list of participants, Utilization Certificate and representative photographs.

16. REVIEW OF IMPLEMENTATION OF RTI ACT IN REVENUE DIVISIONS

For proper implementation of the RTI Act, 2005 and the Orissa Rules framed thereunder, review meetings were undertaken at the level of the Revenue Divisions and the Collectors and District Magistrates, Superintendents of Police, Superintending Engineers of

different Engineering Departments, Chief Medical Officers, Divisional Forest Officers and other district level officers of the concerned Revenue Divisions attended the meeting. The review meeting in respect of the Central Division was held on 5.1.2008 which was attended by Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa. Similarly, such review meetings were held in Revenue Divisions in Northern Division and Southern Division on 29.12.2007, 23.1.2008 respectively. Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa attended the review meeting of the Southern Division, Berhampur and Prof. Radhamohan, ex-State Information Commissioner attended the meeting of Northern Division, Sambalpur.



Review of Implementation of the RTI Act, 2005 by Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa in Southern Revenue Division, Berhampur.



Review of Implementation of the RTI Act, 2005 by Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa in Southern Revenue Division, Berhampur.

17. WORKSHOPS THROUGH FOLK FORM OF PERFORMING ARTS

Orissa Sangeet Natak Academy organized workshops of “Pala”, “Daskathia” and folk dance on the RTI Act out of the funds placed for the purpose by the Orissa Information Commission during the year 2006-07. Necessary inputs were provided by Prof. Radhamohan, ex-State Information Commissioner to make the workshops effective.



Dasakathia Workshop



Folk Dance Workshop



Pala Workshop

IMPLEMENTATION OF THE RTI ACT,2005 IN THE STATE

As per provision under Section 25(2) of the RTI Act, 2005, each Department of the Government is required to provide information regarding implementation of the RTI Act, 2005 in the respective Administrative Department by collecting information from the Public Authorities (line departments) within their jurisdiction. The I & P.R. Department (nodal Department) was entrusted with the responsibility by the

State Government of collecting such information from all the Administrative Departments of the State and send the same after due collation and compilation to the State Commission by 15th April, 2008. Requisite information in respect of only 22 Departments of the State Government have been furnished by the I & P.R. Department. The same is placed at Annexure - III.

BUDGET, FINANCES AND AUDIT OF THE ORISSA INFORMATION COMMISSION

- (i) Government of Orissa provided a sum of Rs.2,03,69,000/- in the State Budget under "Demand no.25 2251 -Secretariat Social Services - State Plan - State Sector - 090 - Secretariat 1833 - Orissa Information Commission Establishment" to meet the expenditure on Orissa Information Commission for the financial year 2007-08. Additional provision of Rs.65,46,000/- was made by way of supplementary grant increasing the total provision to Rs.2,69,15,000/-.
- (ii) The savings available under some units of expenditure was utilized by way of reappropriation with the concurrence of Finance Department of the State Government to meet the requirement on other units of expenditure. A total expenditure of Rs. 2,64,57,195/- was made which was 98% of the Budgetary provision of the year.
- (iii) Unitwise provision made in the State Budget, amount augmented by way of reappropriation, the expenditure made and amount surrendered are indicated in the statements at Annexure - IV.
- (iv) The Orissa Information Commission suo motu wrote to the Principal Accountant General, Orissa for audit of its accounts for the years 2005-06 and 2006-07. The have informed vide Letter No. 2601 dt. 19.2.2008 that Comptroller and Auditor General of India, New Delhi have been moved to accord necessary permission for the purpose. Further communication from the Principal Accountant General, Orissa is awaited.

RECOMMENDATIONS MADE BY THE ORISSA INFORMATION COMMISSION UNDER SECTION 25(3)(g)

For proper implementation of the provisions of the RTI Act, 2005, the State Commission made the following recommendations to the State Government and the Public Authorities:-

- (i) All Collectors and District Magistrates were requested to ensure that provisions for adequate funds at the level of DRDAs/ Zilla Parisada/ Panchayat Samities / Gram Panchayats are made from their own budgets for organisation of workshops at their respective levels on continuous basis for ensuring proper implementation of the RTI Act, 2005 and the Orissa Rules framed thereunder.
- (ii) The State Government was requested to ensure suo-motu disclosure by all Government Departments and Public Authorities as envisaged under section 4(1)(b) of the RTI Act, 2005.
- (iii) All the Collectors and District Magistrates were requested to ensure voluntarily disclosure as stipulated in the Act are not only put in the public domain but also updated regularly and all officers/ officials discharging their duties under the RTI Act, 2005 are adequately trained to avoid any dislocation / delay in furnishing information as sought for by the citizens.
- (iv) The Principal Secretary to Government, Home Department was requested to take necessary steps to organise training programmes of the designated officers as well as all Section Officers and Senior Assistants of State Government since all of them may at some point of time may be required to be involved in the process of furnishing required information and in the events of delay would make themselves liable for penalty as envisaged under Section 20(1) of the RTI Act, 2005.
- (v) The Principal Secretary to Government, Public Enterprises Department was requested to organise training programme on the RTI Act, 2005 and the Orissa Rules framed thereunder for APIOs, PIOs, and 1st Appellate Authorities of Government Corporations since these Corporations come under the purview of the RTI Act.
- (vi) The Chief Secretary and Chief Development Commissioner, Orissa has been requested to put in place fool proof arrangement to ensure handing over and taking over of files/documents etc. at different levels by the officers/ officials to their successors in order to prevent loss/dislocation of files/ documents resulting in denial of information to the applicants and avoid imposition of penalties on the PIOs and referred PIOs under the provisions of the RTI Act, 2005.

OTHER IMPORTANT ACTIVITIES OF THE STATE COMMISSION

1. ANNUAL REPORTS OF THE STATE COMMISSION

The State Commission prepared the Annual Reports for the years 2005-06 (from 20.11.05 to 31.3.06) and 2006-07 as required under Section 25 of the RTI Act,2005. The copies of the reports were handed over to His Excellency the Governor of Orissa on 16.11.07 by Sri D.N. Padhi, State Chief Information Commissioner, Orissa and

Prof. Radhamohan, State Information Commissioner. The copies of the same were also handed over by them on the same day to Hon'ble Chief Minister, Orissa in his Secretariat Office Chamber.

2. INITIATIVES TAKEN BY ORISSA INFORMATION COMMISSION FOR QUICK DISPOSAL OF CASES.

Notices issued to the Petitioners (Complainants/Appellants) and the



Sri D.N. Padhi, Hon'ble State Chief Information Commissioner, Orissa and Prof. Radhamohan State Information Commissioner handing over the Annual Reports to Sri Naveen Patnaik, Hon'ble Chief Minister of Orissa

Opposite Parties in Complaint Cases and Respondents in Second Appeals are being sent to them through speedpost in order to ensure timely and correct delivery to the persons concerned in order to avoid postponement of cases leading to likely delay in disposal of cases, which may be caused due to their non-attendance.

3. DISPOSAL OF APPLICATIONS AND 1ST APPEALS

- i) Number of applications in form A under R.T.I. Act,2005 received and disposed on time by the PIO, Orissa Information Commission during the financial year,2005-06, 2006-07 and 2007-08 are as follows :

Sl. No.	Year	Received	Disposal
1.	2005-06 (20-11.05 to 31.03.06)	Nil	Nil
2.	2006-07	14	14
3.	2007-08	93	93

- ii) Number of applications in form D under the R.T.I. Act,2005 received and disposed on time by the First Appellate Authority, Orissa Information Commission during the financial 2005-06, 2006-07, and 2007-08 are as follows:

Sl. No.	Year	Received	Disposal
1.	2005-06 (20-11.05 to 31.03.06)	Nil	Nil
2.	2006-07	02	02
3.	2007-08	06	06

4. LIBRARY

The collection of books for the Library of the State Commission was further enriched with purchase of various books on different subjects especially on the Right to Information, Freedom Movement of India, Corporate Social Responsibilities etc. Provision has been made for allowing general public to read the books on application and with prior approval of the State Commission with issue of identity cards.

**LIST OF CASES IN WHICH PIO'S VIOLATED THE PROVISIONS OF RTI ACT, 2005 AND
HAVE BEEN TAKEN TO TASK BY IMPOSING PENALTY ON THEM**

Annexure-I

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
1	C.C. 288/06	06/07/07	Raj Kishor Mathur	Sivananda Seth, Asst. Engineer (Estimator) -cum-PIO, Kalahandi Minor Irrigation Division, Bhawanipatna	Rs. 25,000/-	Recovered in full	
2	C.C. 77/06	13/07/07	Hara Prasad Hota	Urmila Sundari Rout, Senior Assistant, Higher Education Department, Bhubaneswar	Rs.3,500/-	-	
3	C.C. 369/06	20/07/07	Susamarani Devi	Laxmidhar Jena, Sr. Asst., Directorate of Health Services, Bhubaneswar	Rs. 7,000/-	-	
4	C.C. 369/06	20/07/07	Susmarani Devi	Jambeswar Das, Section Officer, Directorate of Health Services, Bhubaneswar	Rs. 1,750/-	-	
5	C.C. 360/06	03/08/07	Rashmi Rajan Nanda	Antaryami Dhal, Section Officer, Directorate of Teacher Education & SCERT, Bhubaneswar	Rs. 9,250/-	-	Interim Stay granted by Hon'ble High Court

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
6	C.C. 360/06	03/08/07	Rashmi Rajan Nanda	Binod Kumar Nayak, Junior Assistant, Directorate of Teacher Education & SCERT, Bhubaneswar	Rs. 9,750/-	-	Interim Stay granted by Hon'ble High Court
7	C.C. 360/06	03/08/07	Rashmi Rajan Nanda	Sushant Kumar Mohapatra, Dealing Assistant, Directorate of Teacher Education & SCERT, Bhubaneswar	Rs. 3,500/-	-	Interim Stay granted by Hon'ble High Court
8	S.A. 71/06	03/08/07	Harish Dutta	Bhupati Chandra Deo, PIO -cum- Secretary, Kostha Gram Panchayat. Suliapada Block, Mayurbhanj	Rs. 25,000/-	-	Interim Stay granted by Hon'ble High Court
9	C.C. 48/06 and C.C. 50/06	09/08/07	Sandhyarani Pani	Bangali Charan Tarai, ex- Section Officer (Retd.) , Higher Education Department, Bhubaneswar	Rs. 6,000/-	Recovered in full	
10	C.C. 48/06 and C.C. 50/06	09/08/07	Sandhyarani Pani	Dhoba Mohapatra, Senior Asst., Higher Education Department, Bhubaneswar	Rs. 25,000/-	-	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
11	C.C. 139/06	24/08/07	Nabaghan Muduli	Arjun Mallick, ex-Executive Officer, Simili Gram Panchayat, Gop Block, Puri	Rs. 19,750/-	-	
12	C.C. 283/06	30/08/07	Mukunda Kumar Mohapatra	Surendra Mohapatra, ex-Section Officer (Level-II), Higher Education Department	Rs. 5,000/-	Recovered in full	
13	S.A. 119/06	13/09/07	Maheswar Padhy	Gagan Bihari Mohanty, ACF-cum-PIO, Divisional Forest Office of Paralakhemundi, Gajapati	Rs. 3,000/-	Recovered in full	
14	C.C. 105/06	05/10/07	Sudam Mallik	Basanta Kumar Behera, ex-District Panchayat Officer, Jajpur	Rs. 4,500/-	-	
15	C.C. 97/06	05/10/07	Pramod Ranjan Das	Giridhari Sahoo, Senior Assistant, Section -XII, School and Mass Education Department.	Rs. 4,000/-	-	
16	C.C. 178/06	15/11/07	Sandhyarani Pani	Makar Ketan Swain, Sr. Assistant (Sec-XVI), School and Mass Education Department	Rs. 3,250/-	-	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
17	C.C. 176/07	04/12/07	Bijay Kumar Rath	Bijay Kumar Pradhan, Sr. Asst., BDA, Bhubaneswar	Rs. 5,000/-	Recovered in full	
18	C.C. 176/07	04/12/07	Bijay Kumar Rath	Mahendra Kumar Swain, Field Inspector, BDA, Bhubaneswar	Rs. 750/-	Recovered in full	
19	C.C. 239/06	05/12/07	Durga Prasad Satpathy	Niranjan Jena, Sr. Asst., Directorate of Higher Education, Orissa	Rs. 2500/-	-	
20	C.C. 240/06	05/12/07	Durga Prasad Satpathy	Niranjan Jena, Sr. Asst., Directorate of Higher Education, Orissa	Rs. 2500/-	-	
21	C.C. 241/06	05/12/07	Shamsida Tayab	Niranjan Jena, Sr. Asst., Directorate of Higher Education, Orissa	Rs. 2500/-	-	
22	C.C. 242/06	06/12/07	Bikram Sen Dhal	Bijay Kumar Sahoo, Asst. Engineer, Office of the Executive Engineer N.H. Division, Cuttack	Rs. 9,500/-	Recovered in full	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
23	C.C. 79/07	06/12/07	Ramabatar Agrawal	Anadi Jani, ex-PIO, Ladugaon Gram Panchayat, Currently VLW, Bhawanipatna Block	Rs. 12,000/-	-	
24	C.C. 79(A)/07	06/12/07	Ramabatar Agrawal	Anadi Jani, ex-PIO, Ladugaon Gram Panchayat, Currently VLW, Bhawanipatna Block	Rs. 12,000/-	-	
25	C.C. 343/06	13/12/07	Rama Chandra Parida	Pratap Kumar Jena, Junior Clerk, O/o the BDO, Kendrapara Block	Rs. 6,000/-	Recovered in full	
26	C.C. 343/06	13/12/07	Rama Chandra Parida	Samir Kumar Ojha, Junior Engineer, O/o the BDO, Kendrapara Block	Rs. 6,500/-	Recovered in full	
27	C.C. 119/06 and C.C. 120/06	20/12/07	Ashok Kumar Parida	Gananath Mohanta, ex-Executive Engineer, Balasore (R & B) Division.	Rs. 18,500/-	Recovered in full	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
28	S.A. 50/07	03/01/08	Rabindranath Nayak	Ajay Kumar Seth, ex-PIO, Mahalpara Gram Panchayat, Puri	Rs. 25,000/-	-	Interim Stay granted by Hon'ble High Court
29	C.C. 54/07	03/01/08	Sudhakar Mohapatra	Pravakar Nayak, PIO, Mahalpara Gram Panchayat, Puri Shaikh Iqbal Hosain, ex-PIO Directorate of Higher Education, Orissa, Currently Joint Director, Directorate of Higher Education, Orissa	Rs. 25,000/- Rs. 4,000/-	-	
30	C.C. 138/06	10/01/08	Ramabatar Agrawal	Bishnupriya Dash, Senior Assistant, Office of the Commissioner of Commercial Taxes, Orissa, Cuttack	Rs. 19,250/-	-	Interim Stay granted by Hon'ble High Court
31	C.C. 21/07	10/01/08	Chandra Sekhar Sahu	Sadananda Bisi, Executive Officer, Burumunda Gram Panchayat, Bargagh	Rs. 25,000/-	-	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
32	C.C. 22/07	10/01/08	Chandra Sekhar Sahu	Sadananda Bisi, Executive Officer, Buromunda Gram Panchayat, Bargagh	Rs. 25,000/-	-	
33	S.A. 8/05	11/01/08	Surya Narayan Sahoo	Debesh Das, Manager, BDD-cum-PIO, Orissa Small Industries Corporation Ltd., Cuttack	Rs. 25,000/-	-	Interim Stay granted by Hon'ble High Court
34	C.C. 473/07	17/01/08	Nirakar Harpal	Jagadiswar Gopal, Secretary-cum-PIO, Brahmanchendia Gram Panchayat, Kalahandi District	Rs. 25,000/-	-	
35	C.C. 484/06	17/01/08	Madan Mohan Behera	Bhikshyakari Bisoi, ex-PIO, Gopalpur Gram Panchayat, Baramba, Cuttack	Rs. 5,000/-	-	
36	C.C. 66/06	18/01/08	Himansu Ranjan Mohanty	Sadananda Mishra, Sr. Asst, Forest and Environment Department	Rs. 13,250/-	-	
37	C.C. 67/06	18/01/08	Himansu Ranjan Mohanty	Sadananda Mishra, Sr. Asst, Forest and Environment Department	Rs. 13,250/-	-	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
38	C.C. 445/06	22/01/08	Hemanta Kumar Panda	Laxman Jena, P/O-cum-Assistant Engineer, Rural Works Division, Bhawanipatna, Kalahandi	Rs. 2750/-	Recovered in full	
39	C.C. 32/07 and C.C. 40/07	25/01/08	Chandramani Swain	Kshytish Chandra Naik, ex-VLW, Kesinga Block, Kalahandi	Rs. 25,000/-	Recovered in full	
40	C.C. 198/06	25/01/08	Pravat Kumar Mohanty	Ajaya Kumar Bal, Secretary, Gobindapur Gram Panchayat, Bhadrak	Rs. 25,000/-	-	
41	C.C. 350/06	08/02/08	Madhuchhanda Ghose	Prasanta Kumar Das Sr. Asst, Industries Department	Rs. 2,250/-	-	
42	S.A. 96/07	19/02/08	Sudhanshu Sekhar Senapati	Bijay Kumar Nath Sharma, Senior Assistant (MS-I Section), Health and Family Welfare Deptt.	Rs. 1,500/-	-	
43	S.A. 163/06	28/02/08	Ajay Kumar Nayak	Pradeep Kumar Ray, Senior Assistant, Panchayati Raj Department	Rs. 2,500/-	Recovered in full	
44	C.C. 334/07	28/02/08	Siba Prasad Mishra	Santosh Kumar Sahu, GPEO, Bolgarh Block, Khurda	Rs. 12,750/-	-	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
45	C.C. 363/07	07/03/08	Bansidhar Patnaik	Siba Prasad Patnaik, ex-PIO, Office of the District Inspector of School, Chatrapur, Ganjam	Rs. 7,750/-	Recovered in full	
46	S.A. 4/07	11/03/08	Hadibandhu Baliarsingh	Binod Kumar Maity, Mate, Division-II, Bhubaneswar Development Authority	Rs. 13,500/-	-	
47	C.C. 79(B)/07 and C.C. 79(C)/07	13/03/08	Ramabatar Agrawal	Ramsingh Hembram, Marketing Inspector, Koksara Block, Kalahandi District	Rs. 25,000/-	Recovered in full	
48	C.C. 83/07 and C.C. 83(A)/07	13/03/08	Ramabatar Agrawal	Ramsingh Hembram, Marketing Inspector, Koksara Block, Kalahandi District	Rs. 25,000/-	Recovered in full	
49	C.C. 121/06 and C.C. 172/06	14/03/08	Purusottam Behera	Gananath Mahanta, ex-Executive Engineer, Balasore R & B Division, Balasore	Rs. 6,500/-	Recovered in full	
50	C.C. 286/06	14/03/08	Sudarsan Rana	Biswaranjan Behera, Junior Engineer, Parjang Block, Denkanal	Rs. 25,000/-	-	
51	C.C. 289/06	14/03/08	Annapurna Majhi	Basanta Kumar Sahoo, Senior Draftsman, Town Planning Unit, Jharsuguda	Rs. 9,000/-	-	

Sl. No.	Case No.	Date of Imposition of Penalty	Name of the Applicant	Name of the Officer penalised with Designation	Penalty Amount	Remarks	Present Status
52	C.C. 289/06	14/03/08	Annapurna Majhi	Aswini Kumar Patel, Section Officer, Sambalpur Development Authority, Sambalpur	Rs. 20,000/-	-	Interim Stay granted by Hon'ble High Court
53	C.C. 381/07	14/03/08	Kashinath Nayak	Antaryami Das, ex-PIO, Office of Block Development Officer, Odagaon Block, Nayagarh District	Rs. 1,750/-	Recovered in full	
54	C.C. 381/07	14/03/08	Kashinath Nayak	Bijaya Kumar Giri, Head Clerk, Office of Block Development Officer, Odagaon Block, Nayagarh District	Rs. 8,000/-	Recovered in full	

- N.B.:** 1. Subject to the provisions contained in Section 20 (1) of the RTI Act, 2005 (Act for short) cash penalty is imposed on the erring Public Information Officers (PIOs for short) and the officials of the Public Authority treated as PIOs u/S 5(5) of the Act. As per Rule 9 of the Orissa Right to Information Rules, 2005 (Rule for short) such PIOs may deposit the penalty amount by treasury challan under the appropriate receipt head of the State Budget within a period of 30 days failing which the amount shall be recovered from the salary of the Officer concerned. Thus the responsibility of recovery of the cash penalty imposed also rests with the Head of the Public Authority by whom such Public Information Officers have been designated u/S 5 of the Act.
2. Additionally the recovery of the cash penalty imposed on such PIOs is also monitored at intervals by the Secretary, Orissa Information Commission by holding meetings with the officials of the concerned Public Authorities.

**LIST OF CASES IN WHICH COMPENSATION HAVE BEEN GRANTED BY THE
ORISSA INFORMATION COMMISSION**

Sl. No.	Case No.	Name of the Applicant	Compensation amount	Payable by Public Authority	Remarks
1	C.C. 125/07	Paramananda Nayak	Rs. 1,500/-	CDMO, Jajpur	Paid
2	S.A. 50/07	Rabindranath Nayak	Rs. 3,000/-	Mahalpara Gram Panchayat, Gop Block, Puri	Interim Stay granted by Hon'ble High Court
3	S.A. 8/05	Surya Narayan Sahoo	Rs. 15,000/-	OSIC Ltd., Cuttack	Paid
4	C.C. 198/06	Pravat Kumar Mohanty	Rs. 1,000/-	BDO, Tihidi Block, Bhadrak	Paid
5	C.C. 79/07 and C.C. 79(A)/07	Ramabatar Agrawal	Rs. 3,000/-	Koksara Block & Ladugaon Gram Panchayat, Kalahandi	Paid
6	C.C. 176/06	Shantilata Baral @ Mishra	Rs. 1,000/-	Directorate of Secondary Education, Bhubaneswar	Paid

*** ANNUAL REPORT ON THE IMPLEMENTATION OF RIGHTS TO INFORMATION ACT, 2005** **Annexure - III**

Sl. No.	Name of the Departments	No. of applications received up to 31st March, 2008		Total	Total No. of requests disposed off			Appeals made before 1st Appellate Authority				Charges Collected under this Act			
		By P.I.O./ A.P.I.O.	By Secretariat Information Cell (In case of a Government Department only)		No. of Applicants provided with information	No. of Applicants denied access to information	Total disposal	No. of appeals received	No. of appeals disposed off	Cash (Rs.) (i)	Treasury challan (Rs.) (ii)	Court fee (Rs.) (iii)	Total (Rs.)		
1	2	3	4	5	6	7	8	9	10	11	12	13	14		
1.	Agriculture	642	171	813	771	19	790	30	28	16802	1334	540	18676		
2.	Cooperation Development	12	50	62	48	2	50	5	5	1820	100	80	2000		
3.	Energy	15	126	141	132	8	140	16	14	2341	244	320	2905		
4.	Excise	23	16	39	37	Nil	37	1	1	1663	-	-	1663		
5.	Finance Deptt.	81	154	235	122	54	217	22	22	3957	526	440	4923		
6.	Forest & Environment	842	263	1105	902	167	1069	96	82	45596	3931	1675	51202		
7.	G.A. Deptt.	541	731	1272	940	131	1071	125	122	19550	2440	2650	24640		
8.	H. & F.W. Deptt.	334	730	1064	986	60	1063	81	78	12545	1600	1370	15515		
9.	Home	126	224	350	164	186	350	15	15	8702	490	280	9472		

Contd...

1	2	3	4	5	6	7	8	9	10	11	12	13	14
10.	I & P.R.	11	103	114	105	17	122	1	1	2660	10	-	2670
11.	Industries	30	109	139	135	4	139	11	11	3085	300	220	3605
12.	Parliamentary Affairs	72	49	121	36	84	120	2	1	818	260	40	1118
13.	P.G. & P.A.	-	21	21	21	-	21	-	-	28	-	-	28
14.	Public Enterprises	2	35	37	11	26	37	20	20	377	-	-	377
15.	Revenue and Disaster Management	528	12	540	518	51	569	17	5	5996	580	10	6586
16.	ST & SC Development, Minorities & Backward Classes Welfare	253	122	375	344	19	363	32	28	14579	431	670	15680
17.	Sports and Youth Services	14	13	27	21	6	27	-	-	1072	10	1082	1082
18.	Science and Technology	-	3	3	2	1	3	-	-	139	-	-	139
19.	Tourism & Culture	1	14	15	14	-	14	-	-	118	-	-	118
20.	W & C.D.	56	149	205	185	20	205	22	22	2910	-	480	3390
21.	Water Resources	479	133	612	515	79	594	49	46	23318	3355	840	27513
22.	Works	292	190	482	412	37	449	28	27	15,150	1142	376	16,668

* Information as furnished by I & PR Department, Government of Orissa

Annexure - IV

STATEMENT SHOWING UNITWISE PROVISION MADE UNDER DEMAND NO. 25-2251-SECRETARIAT –SOCIAL SERVICES- STATE PLAN-090-SECRETARIAT-1833-ORISSA INFORMATION COMMISSION ESTABLISHMENT FOR THE YEAR 2007-08

(Amount in Rs)

Sl No.	Unit of Expenditure	Budget Provision	Supplementary Grant	Augmented by way of reappropriation	Reappropriation to other units	Final Grant	Expenditure	Amount Surrendered	Reasons for surrender
1	2	3	4	5	6	7	8	9	10
1	Pay	1400000	138000	-	-	1538000	1454114	83000	Non filling up of the vacancy in the post of State Information Commissioner, w.e.f. 31.01.08
2	D.P	700000	150000	-	-	850000	816152	33000	
3	DA	300000	242000	460000	-	1002000	990680	11000	
4	HRA	140000	-	-	-	140000	124009	15000	
5	RCM	100000	-	-	-	100000	99932	-	
6	O.A	100000	25000	-	-	125000	124872	-	
7	TE	1000000	103000	-	-	1103000	844402	258000	b) non-sanction of post of FA - cum- Deputy Secretary.
8	LTC	300000	-	-	159000	141000	140836	-	c) due to economy measures in the State Commission
9	Electricity due	220000	-	-	180000	40000	37208	2000	
10	Water charge	12000	-	-	10000	2000	-	2000	
11	Telephone Charges	200000	53000	-	-	253000	235098	17000	
12	Motor vehicle	800000	-	-	271000	529000	504222	24000	
13	Other Contingences	576000	2730000	9999000	-	13305000	13304994	-	
14	R.R.T	720000	-	-	450000	270000	268192	1000	

SI No.	Unit of Expenditure	Budget Provision	Supplementary Grant	Augmented by way of reappropriation	Reappropriation to other units	Final Grant	Expenditure	Amount Surrendered	Reasons for surrender
1	2	3	4	5	6	7	8	9	10
15	Training Awareness & Campaign	700000	-	-	-	700000	699621	-	-
16	Organization of Seminar & Workshop (General)	902000	1302000	-	-	2204000	2204000	-	-
17	Organization of Seminar and Workshop (Special Components Plan for scheduled castes)	336000	336000	-	-	672000	672000	-	-
18	Organization of Seminar and Workshop (Tribal Areas sub plan)	462000	462000	-	-	924000	924000	-	-
19	Information, Education and communication activities.	700000	1005000	1270000	-	2975000	2974438	-	-
20	Advertisement	1000	-	-	-	1000	-	1000	-
21	Professional Services	700000	-	-	660000	40000	38425	1000	-
22	Lump provision	10000000	-	-	9999000	1000	-	1000	-
23	Grand total	20369000	6546000	11729000	11729000	26915000	26457195	449000	

Annexure-V

DISPOSAL OF COMPLAINT CASES AND SECOND APPEALS

Period	Total no. of Complaint Cases and Second Appeals received.		Total number of Complaint Cases and Second Appeals disposed of		Cumulative Total no. of Complaint Cases and Second Appeals pending for disposal.	
	Complaint Case	Second Appeal	Complaint Case	Second Appeal	Complaint Case	Second Appeal
1	2	3	4	5	6	7
Pending as on 31.03.07	-	-	-	-	645	160
April,2007	169	68	37	12	777	216
May,2007	132	57	42	18	867	255
June,2007	237	32	08	22	1096	265
July,2007	241	34	40	14	1297	285
August,2007	177	28	27	17	1447	296
September,2007	148	29	30	09	1565	316
October,2007	164	36	15	03	1714	349
November,2007	186	27	40	06	1860	370
December,2007	139	30	83	11	1916	389
January,2008	166	35	57	40	2025	384
February,2008	171	43	59	04	2137	423
March,2008	121	30	25	10	2233	443
Total	2051	449	463	166	2233	443

Total number of Complaint Cases during the year - $2051 + 645 = 2696$

Total number of Second Appeals during the year - $449 + 160 = 609$

ERRATA OF ANNUAL REPORT 2006-07

Total of following columns in Annexure - II at page 47 may be read as under

i)	Total No. of Complaint Cases (C.C) received	-	1012
ii)	Total No. of Second Appeals (S.A) received	-	308
iii)	Total No. of Second Appeals (S.A) in which final order have been passed	-	142
iv)	Cumulative total of Second Appeals pending for disposal	-	166