

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

Present: - Hon'ble Shri D.N. Padhi, SCIC

And

Shri Jagadananda, SIC

Date:- 27th February, 2009

Complaint Case No. 1094 of 2007

with

Complaint Case No. 553 of 2007



Subochini Hial
W/o-Debendra Hial,
At-Bidalguda,
PO-Majhiguda,
Nawrangpur district Complainant
-Vrs-

Public Information Officer,
Office of Orissa Forest Development Corporation Ltd.,
A/84, Kharvel Nagar,
Bhubaneswar Opposite Party

Dicision

1. Complainant Subochini Hial is absent but Debendra Hial as representative is present on her behalf. Maheswar Pradhan, Manager (T & NT & P)-cum-PIO, Sujeet Kumar Pradhan, Dhaneswar Barik all from OFDC Ltd., Bhubaneswar and Manoranjan Patra, Divisional Manager, OFDC Ltd., Jharsuguda are present. Heard. Perused the case records. This case arises out of complaint petition filed on 21/07/07. On another appeal petition dated 08/05/07 filed by the same Complainant on the self same issue, complaint case no. 553/2007 has been initiated. Both the cases were tagged together for convenience of the parties and heard analogously.

2. It reveals from the records that form A application dated 19/01/07 was filed by the Complainant with the PIO, Orissa Forest Development Corporation limited (OFDC for short), Kharvel Nagar, Bhubaneswar relating to certain service matter of her husband Debendra Hial.
3. The PIO submitted that he received the application on 29/01/07 by post. Thereafter it was sent to the Personnel Officer, Corporate Office on 01/02/07 for supply of the required information. The same were received from the latter on 09/05/07 and the Complainant requested on the same day to deposit Rs.26/- towards cost of providing information. The said amount was received from the Complainant through money order on 05/06/07. Accordingly, information was sent to her by registered post vide letter no.12076 dated 06/06/07. The PIO further stated that the service particulars sought for in the RTI application related to the Divisional Manager, Bhawanipatna and Divisional Manager, Nawrangpur where Debendra Hial had served. The concerned Divisional Managers were communicated vide letter no.3613 dated 19/02/07 with direction to furnish the information by 25/02/07. The Divisional Manager, Bhawanipatna furnished the information vide his letter no.11630 dated 24/04/07.
4. It was submitted by the PIO and the referred PIOs that all other RTI cases except the present one, (one of the earliest one filed before the Public Authority) have been dealt with promptly and information have been provided to the seekers on time. This is the solitary case where delay has occurred which was not intentional but due to lack of systemic support within the organisation for time bound implementation of the provisions of the RTI Act, 2005 and the Orissa Rules framed thereunder. Apart from that old information had to be collected from Bhawanipatna and Nawrangpur.
5. During course of the hearing of this case Debendra Hial submitted a written memo that he has received of Rs.43,200/- (Rupees forty-three


thousand and two hundred) only from the OFDC after intervention of the State Commission. He expressed his profound gratitude for the same.

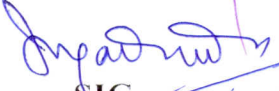
6. In view of the above facts and circumstances of this case, the State Commission were of the considered opinion that was no malafide on the part of the PIO/referred PIOs dealing with the RTI application. The delay was mainly circumstantial Therefore, both the PIOs are exonerated with no orders on penalty.
7. With the above observation, the case is disposed of and closed.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 27th day of February, 2009.





SCIC
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