

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR



Present: Hon'ble Shri D.N.Padhi, SCIC
and
Shri Jagadananda, SIC

Date: 21st May, 2009

Complaint Case No. 1648/2007

Dibakar Nayak,
At-Patapapur,
PO-Nimapara-752106,
Puri District Complainant

-Vrs-

1. Public Information Officer
Office of the Block Development Officer,
Gop Block,
Puri district
2. First Appellate Authority,
Office of the Block Development Officer,
Gop Block,
Puri district Opposite Parties

Decision

1. Complainant Dibakar Nayak is present. Manamohana Senapati Additional Block Development Officer, Balabhadra Mahapatra, Senior Clerk (retd) and Dibakar Nayak, PIO-cum-Cooperative Extension Officer, office of the Block Development Officer, Gop Block, Puri district are also present. Heard. Perused the case record. This case arises out of complaint petition dated 26/09/07 and comprehensively heard by the State Commission on 07/01/09.
2. The Complainant Dibakar Nayak had sought information in form A application dated 30/07/07 from the PIO office of the Block Development Officer, Gop Block, Puri district on Payment/non-payment of TA/allowances to the Election officers appointed in the Gram Panchayat Election, 2007 under Gop Block and expenses incurred under different heads in the said Gram Panchayat elections.

3. The Complainant on 07/01/09 had submitted that he did not get any information from the PIO within the maximum time limit as per Section 7(1) of the RTI Act, 2005 (Act for short) compelling him to prefer an appeal before the First Appellate Authority on 29/08/07, that is, on the 30th day itself. He stated that the Block Development Officer had made certain correspondences with him but he has not received any information.
4. On 07/01/09, Balabhadra Mahapatra had stated that his assistance was sought by the PIO to provide the information. He consulted with the GPEO. The latter supplied the information on 22/08/07 which he stated was incomplete. After another round of efforts, all the information were collected by the PIO and supplied to the Complainant, free of cost, which was confirmed by the latter.
5. After hearing the parties extenso, the State Commission found no malafide intention with the any officials of the Public Authority to delay or deny submission of/access to information. Hence the ex-PIO, Prasanna Kumar Sahoo was exonerated with no orders on penalty. Relevant to mention here is that the Complainant Dibakar Naik (who was CEO in the same Block office) at a later date took over as the PIO. It is unfortunate that internal matters of the office are being focused in RTI application, which militate against the basic purpose of the Act.
6. The case is disposed of and closed.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 21st day of May, 2009.



SCIC

SIC

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