

BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR



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

Date: 1st May, 2009

Complaint Case No. 455 /2006

Gadadhar Parida  
At-Nakadiha,  
PO-Alipingal,  
PS-Nimapara,  
Puri district.....Complainant

-Vrs-

Public Information Officer,  
Office of the Nimapara Block,  
Nimapara,  
Puri district.....Opposite Party

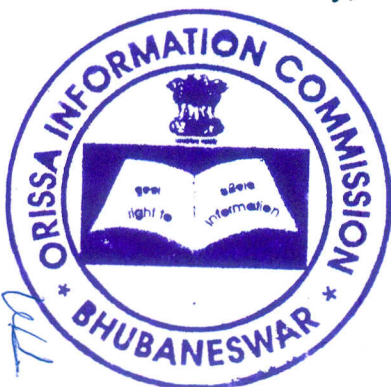
Decision

1. Complainant Gadadhar Parida is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission ( Appeal Procedure) Rules, 2006. Choudhury Chitta Ranjan Das, PIO-cum-Fisheries Extension Officer and Sukanta Charan Swain, ex-PIO (currently WEO, Puri Sadar Block), both of Nimapara Block, Puri district are present. Heard. Perused the case record. This case arises out of complaint petition dated 18/12/06 and heard by the State Commission earlier on 11/07/07, 04/10/07, 25/01/08, 08/05/08 and 23/09/08.
2. The Complainant had sought information in four form A applications all dated 12/09/06 from the PIO, Nimapara Block, Puri district on the report of 11<sup>th</sup> Finance Commission, FEW, JRY and SGRY etc. The information were supplied to the Complainant on 19/12/06.

3. As regards the delay, the ex-PIO submitted that the information sought were voluminous in nature and he had to collect them from different wings of office/ organization. Apart from this he stated that he was busy in post flood activities and preparation of voters list by 05/12/06 for the then forthcoming Gram Panchayats, Panchayat Samities and Zilla Parishad Election, 2007 as notified by the State Election Commission, Orissa. To corroborate the statement he produced the relevant documents/notifications before the State Commission. The same were perused and taken to record. In the meantime, the Complainant in letter dated 29/04/09 submitted an affidavit dated 29/04/09 regarding receipt of correct information from the ex- PIO on 19/12/06 and prayed that the case could be withdrawn. The same was perused and taken to record although such a facility is not available to any Complainant/Appellant under the RTI Act, 2005.
4. After hearing the opposite parties and taking into account the Complainant's opinion as stated by him on 11/07/07, the State Commission were convinced that there was no malafide intention with the then PIO and exonerated him, as he was engaged in the time-bound activities of larger public interest like post-flood operations and preparatory work for the Gram Panchayat elections etc. The delay of 68 days was condoned.
5. 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 1<sup>st</sup> day of May, 2009.



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SCIC  
1.5.09  
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SIC 1/5/09