

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR



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

Date 13th May, 2009

Complaint Case No.759/2008

Goura Chandra Chhatria,
At/PO: Kankeri,
Via: Sosia,
Kalahandi district.....Complainant

-Vrs-

The Public Information Officer,
Kalahandi Collectorate,
Bhawanipatna,
Kalahandi district.....Opposite Party

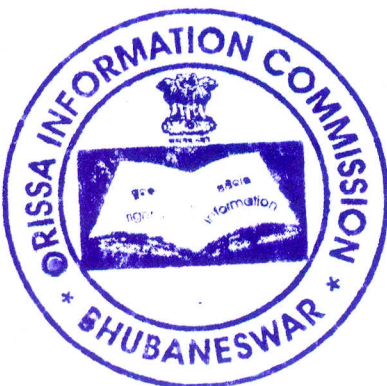
Decision

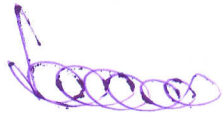
1. Complainant Goura Chandra Chhatria is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Nityanandanath Sharma, Principal-in charge, Border Higher Secondary School is present. Heard and perused the case record. This matter arises out of complaint petition received on 28/5/2008.
2. Complainant had sought information in form A application dated 12/4/2008 from the PIO, Kalahandi Collectorate, Bhawanipatna on 5 points relating to the management, activities and functioning of the Border Higher Secondary School, Kankeri, Dharamgarh Block. Soon after receipt, the RTI application was transferred to the Headmaster, Border Higher Secondary School vide letter no. 851 dated 21/4/2008 under Section 6 (3) of the RTI Act, 2005 with instruction to supply permissible information directly to the Complainant. The said letter was endorsed to the Complainant vide memo no.852 dated 21/4/2008.

3. As the Complainant did not receive any information either from the PIO or from the Headmaster, Border Higher Secondary School within the prescribed maximum time limit, he preferred a complaint received on 28/5/2008 in the State Commission.
4. Nityanandanath Sharma, Principal in-charge, Border Higher Secondary School stated today that their institution is neither a Government institution nor does it receive any aid from the Government. Their institution had received some small amounts from the MP/MLA LAD grants on one or two occasions for specific construction activities.
5. During the course of hearing it transpired that the Complainant had been mis-utilising the provisions of his laudable Act, for personal gains by harassing the management, by making multiple applications on different dates before different PIOs on the same matter. From the record, it was found that the State Commission had disposed of and closed with no orders of penalty Complaint Case no.645/08 which was identical to that of the present matter. As the RTI application dated 12.04.2008 is not maintainable under the RTI Act,2005, (Act for short) the complaint was rejected and matter closed. The prayer for compensation was also considered and disallowed as it did not fall within the ambit of the provisions of the Act. Inform the Complainant.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 13th day of May, 2009.




SCIC
13.5.09