

**BEFORE THE ORISSA INFORMATION COMMISSION:**

**BHUBANESWAR**

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

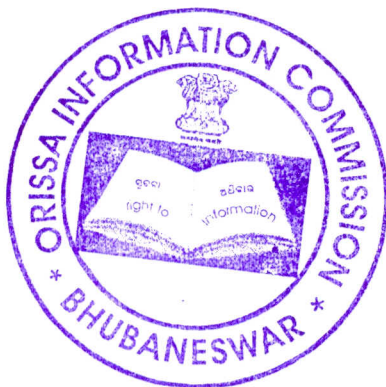
**Date: 25th February, 2009**

**Complaint Case No.1069 of 2007**

Biswa Ranjan Panda  
1st lane, Tikira Street  
Koraput-764020  
Koraput district ..... Complainant

-Vrs-

Public Information Officer,  
Tribal Development Cooperative  
Corporation of Orissa Ltd,  
Rupali Square  
Bhoi Nagar  
Bhubaneswar-751002.....Opposite Party




**Decision**

1. Complainant Biswaranjan Panda is present. Bamadev Mishra, Branch Manager (Marketing), Tribal Development Co-operative Corporation of Orissa Limited, Bhubaneswar (TDCC for short) is also present. Heard both. Perused the case record. This case was earlier heard on 29.10.2007 and arises out of complaint petition dated 20.07.07.
2. The Complainant mentioned that, in form A application dated 25/06/07, he had wanted to know from the PIO, office of TDCC the updation status of the Service Book of Jatadhari Panda and reasons for non-payment of salary/TA/EB/increment/pay-fixation etc. The Complainant stated that the MD, TDCC had rejected his request on 13/7/07 on the ground that he was not the legal heir and that he had no locus-standi to ask for these information. He alleged that the letter no.2612 dated 13.07.07 was not issued by the PIO but the MD, TDCC.

3. The PIO, however, stated that the letter had not issued under the signature of the Managing Director (MD) but the Manager (Finance and Audit). The RTI application also suffered from the defect of having been submitted to the MD and not to the PIO.
4. However, on 29.10.08, the State Commission had directed the PIO to provide permissible information to the Complainant after obtaining third party clearance/concurrence within 30 days of the receipt of this order. Bamadev Mishra, Branch Manager (Marketing), TDCC submitted that, in the meantime, all dues had been sanctioned to the Complainant on the intervention of the State Commission.
5. In view of the above, the case is disposed of and closed .PIO is exonerated. No orders on penalty as the initial response, rejecting the request, was within the permissible maximum timeline.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 25<sup>th</sup> day of February, 2009.

  
**SCIC**  
25-2-09