

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Date: 9th September, 2009

Complaint Case No.138/2008

Biswajit Mohanty,
C/o-B. Mohanty & Co.,Chartered Accountants,
Link Road,
Cuttack-753012.....Complainant



-Vrs-

The Public Information Officer,
District Collectorate,
At/PO-Parlakhemundi,
Gajapati District.....Opposite Party

Decision

1. Complainant Biswajit Mohanty and Baburam Patra, PIO-cum-Deputy Collector,Gajapati Collectorate, Parlalkhemundi are present. Heard them and perused the case record. This matter arises out of complaint petition dated 21/01/08 under section 18 (1) (c) of the RTI Act, 2005.
2. Complainant had filed form A application dated 11/10/07 with the PIO, Revenue and Disaster Management Department, Secretariat, Bhubaneswar seeking information on the Forest / Revenue areas of the State. Instead of collecting the information from the respective Districts, the PIO had simply transferred the application to the PIOs of all Collectorates in the State. This action was not appreciated by the State Commission. It was observed that this was an opportunity for the Revenue Department to collect statewide information and maintain an inventory.
3. It is seen from the record that although an intimation had been received by the Complainant from the PIO, Gajapati Collectorate, Parlakhemundi to

deposit Rs.44/- as cost of information, he did not do so as the prescribed time limit for providing information had elapsed.

4. During the hearing today, the PIO submitted his written memorandum alongwith a chronological datechart of handling the RTI application and mentioned that all required information has already been provided to the Complainant, free of cost, under due acknowledgement.
5. Hearing both the parties and perusing the chronological date chart, the State Commission decided to dispose of and close this case with no orders on penalty as the Complainant admitted that he has already received complete information, free of cost, and had nothing more to agitate. The PIO is exonerated as he had no malafide intention.
6. The State Commission directed (a) that these orders, specifically with reference to paragraph 2 above, be communicated to the Principal Secretary, Revenue and Disaster Management Department, Government of Orissa, Secretariat, Bhubaneswar for necessary action as suggested and (b) the PIO of of the said Government Department should follow up with other Collectorates also and provide information, free of cost, to the Complainant.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 9th day of September, 2009.


SCIC

9.9.09



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