

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR.**

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

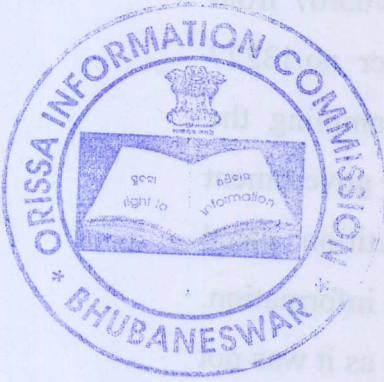
Dated:-26th November, 2009

Complaint Cases No.1470/2007

Nalinikanta Panda,
President,
Citizen's Apex Association,
59,Forest Park,
Sachivalaya Marg,
Bhubaneswar-751009Complainant

Vrs.

Public Information Officer,
Housing and Urban Development Department,
Government of Orissa,
Secretariat,
Bhubaneswar.....Opposite Party



Decision

1. Both the parties are absent on repeated calls. The absence of the Complainant is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Opposite Parties are absent. It was noted from the case record that the hearing of the PIO had been completed on 17/07/09. Perused the case record. This case arises out of complaint petition dated 26/09/07 and heard by the State Commission earlier on 03/02/09, 02/04/09 and 17/07/09.

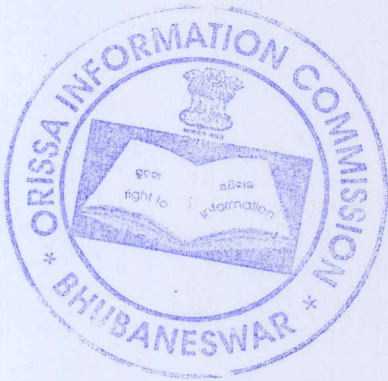
2. The Complainant had filed form A application dated 04/04/07 with the PIO, Housing and Urban Development Department, Government of Orissa, Secretariat, Bhubaneswar seeking information on the implementation of town planning norms for the offices, shops, commercial buildings and related issues in the cities of Orissa.
3. The PIO on 03/02/09 had stated that the assistance of the Directorate of Town Planning, Orissa, Bhubaneswar was sought on 19/04/07 and the information as received on 08/05/07 from them was furnished to the Complainant vide letter no.13227 dated 02/06/07. This delay was attributed to examining the information received with reference to the government directions. The Complainant in a complaint petition dated 26/09/07 had alleged that he had not received any information. PIO, however, pleaded for condonation of the delay as it was not intentional.
4. After hearing the PIO on 17/07/09, the State Commission had directed the Principal Secretary, Housing and Urban Development Department, Secretariat, Bhubaneswar to invite the Complainant, conduct an inquiry and ensure supply, free of cost, of complete information to him.
5. The PIO vide letter no. 27934 dated 18/11/09 had informed the State Commission that as per orders of the State Commission dated 03/02/09, the required information which had already sent to the Complainant on 02/06/07 was re-sent to him vide letter no. 2855 dated 06/02/09 by registered post and as per orders


dated 17/07/09, the Complainant had been requested to intimate the PIO of any specific further requirements or to depute his representative(s) for discussion in the matter vide letter no. 19431 dated 03/08/09 followed with a reminder vide letter no.24495 dated 08/10/09. But there was no response from him.

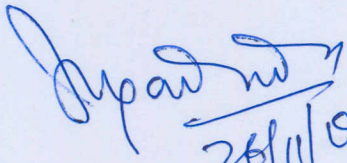
6. From the above facts and circumstances, the State Commission find no mala fide with the PIO and exonerated him with no orders on penalty. The case is, therefore, disposed of and closed accordingly. Inform the Complainant.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this
26th day of November, 2009.




SCIC
26.11.09


SIC
26/11/09