

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date 26th October, 2009

Complaint Case No.1591/2008



Rabindra Das,
At-Nangursahi-756032,
PO-Lakshannath Road,
Via-Jaleswar,
Balasore District.....Complainant

-Vrs-

Public Information Officer,
State Council for Technical Education and Vocational Training,
Bhubaneswar.....Opposite Party

Decision

1. Complainant Rabindra Das is absent on call. The same cannot be condoned today under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006 in view of the specific orders dated 26.08.09 of the State Commission directing his presence to participate in the proceeding and have his say, failing which the matter would be heard ex parte on merits to arrive at a conclusion. The same was communicated by speedpost dated 14.10.09. Atul Kumar Sahu, Controller of Examinations-cum-PIO, State Council for Technical Education and Vocational Training, Orissa (SCTE for short) is present. Heard. Perused the case record.
2. This complaint was preferred by the Complainant before the State Commission on 22.10.08. It is seen from the record that he filed his form A application on 6.09.08 (in the complaint petition indicated as dated 11.09.08) before the PIO, SCTE seeking photocopy of the answer sheet of his daughter Priyadarshani Das (Roll No.052403040) in the Theory-1, Computer Application-11 of 3rd Semester examination of winter 2007.
3. During the last hearing dated 26/08/09 the PIO mentioned that the RTI application supposedly sent by the Complainant had not been received by the office and, therefore, no information could be supplied to the Complainant.

4. After hearing on 26.08.09 the above unilateral submissions of the PIO, the State Commission had accorded another opportunity to the Complainant to take part in the next date of hearing (that is today) with supporting documents so as to substantiate his claim of having sent the RTI application. But was found absent.
5. In consideration of the facts and circumstances of the case, the State Commission being convinced that there was no pending issue relating to the matter, decided to close the case with no orders on penalty. PIO-cum-Controller of Examinations, State Council for Technical Education and Vocational Training, Orissa was exonerated. The Complainant, if he so desires, can file a fresh application following the prescribed procedure.

Pronounced in open proceedings

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




SCIC

26.10.09