

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 9th September, 2009

Complaint Case No.168/2008

Hina Kumar Gouda,
At-Jateswar Sahi,
Kabisurya Nagar-761104,
Ganjam district.....Complainant

-Vrs-

The Public Information Officer,
Office of the Panchayat Samiti,
Kabisurya Nagar,
Ganjam district.....Opposite Party



Decision

1. Complainant Hina Kumar Gouda is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Balaram Sethi, PIO and Kalyan Kumar Rath, ex-BDO (currently BDO, Gosani Block Paralakhemundi) both of Kabisurya Nagar Block, Ganjam district are present. Heard them and perused the case record. The case arises out of complaint petition dated 28/01/08 and heard earlier on 19/05/09.
2. Complainant had filed form A application dated 22/11/07 with the PIO, Panchayat Samiti, Kabisurya Nagar seeking information pertaining to the public distribution system in Kabisurya Nagar, NAC. At the initial stage the RTI application was handed over on 23/11/07 to the Supply Inspector of the Block. Information as available with the Marketing Inspector had

been provided to the Complainant on 10/01/08. As the information relating to the NAC (urban body) was not available with the Panchayat Samiti Office, it was transferred the same day to the PIO, Kabisurya Nagar NAC vide letter no.123 dated 10/01/08 for necessary action under intimation to the Complainant. On receipt of first set of information, the Complainant had filed an appeal the same day, that is 10/01/08, before the First Appellate Authority –cum- BDO. After hearing of the appeal, the First Appellate Authority transferred the appeal petition to the Executive Officer, Kabisurya Nagar NAC for furnishing available balance information. The Executive Officer furnished the information on 22/01/08. Still not satisfied with the information provided, Complainant moved the State Commission on 28/01/08 in a petition. On 19/05/09 the PIO had stated that the balance information related to Sub-Collector's Office, Chatrapur. After hearing from the PIO, the State Commission had directed him to transfer the application under Section 6 (3) of the RTI Act,2005 to the PIO, Sub-Collector's office, Chatrapur to furnish, free of cost, the remaining information under intimation to the Complainant.

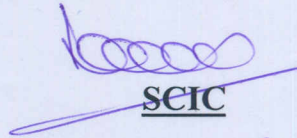
3. During the hearing today, Kalyan Kumar Rath, ex-BDO, Kabisurya Nagar Panchayat Samiti submitted his written memorandum and submitted that all required information has been provided, free of cost, to the Complainant under due acknowledgement.
4. Perusing the written submission of Kalyan Kumar Rath, ex-BDO, Kabisurya Nagar alongwith corroboratory evidence in support thereof, the State Commission decided to dispose of and close this case with no orders on penalty as no malafide were noticed and all efforts were made to

provide information by the different Public Authorities. The PIO was exonerated as no delay was attributable to him.

Pronounced in open proceedings

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




SCIC
9.9.09