

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

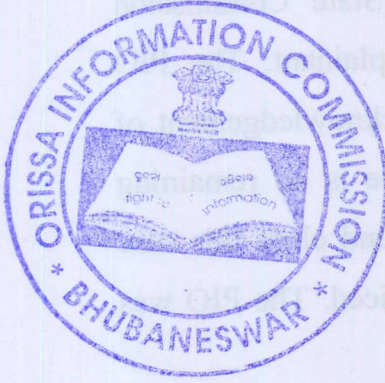
Date:-9th September, 2009

Complaint Case No.1847 of 2007

Suresh Chandra Das,
Assistant Teacher,
Arapaju U.P. School,
PO-Sainipada,
Kandhamal District..... Complainant

-Vrs-

Public Information Officer,
Office of the District Inspector of Schools,
Phulbani
Kandhamal District..... Opposite Party



Decision

1. Complainant Suresh Chandra Das and Kumuda Ranjan Swain, PIO, office of the District Inspector of Schools, Phulbani, Kandhamal district are present. Heard them and perused the case record. This matter arises out of complaint petition dated 30.11.2007 under Section 18(1)(c) of the RTI Act, 2005.
2. Complainant had filed form A application dated 05/07/07 with the PIO, office of the District Inspector of Schools, Phulbani, Kandhamal district seeking information relating to the teachers transferred during 2007 alongwith other related matters.
3. PIO had intimated the Complainant on 05.08.07 to deposit Rs.154/- as cost of information. Complainant deposited the said amount on 11.09.07. The PIO provided the required information to the Complainant in two phases that is on 22.09.07 and 23.10.08. The PIO submitted that though he could have rejected the RTI application dated 5.07.07 under Rule 4(3) of the Orissa RTI Rules, 2006 he wanted to help him get the information and, therefore, kept alive the request till he deposited the amount on 11.09.07, which was almost after one month.

4. In the intervening period the Complainant had filed a complaint petition before the State Commission on 30.11.07.
5. During the hearing today, the PIO submitted his written memorandum and the chronological date chart in respect of the said RTI application. The Complainant also admitted to have received complete information though belatedly. Hearing both the parties, the State Commission directed the PIO to refund Rs.154/- to the Complainant. The PIO immediately refunded the said amount under due acknowledgement of the Complainant during the hearing today. As there is no remaining issue, the State Commission decided to dispose of and close this case with no orders on penalty as no malafides were noticed. The PIO was exonerated.

Pronounced in open proceedings

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




SCIC

9.9.09