

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Date:-10th August, 2009

Complaint Case No.489 of 2008



Dolananda Sarangi
At-Chanabeda,
P.O.Bhojpur,
Via-Khariar,
Nawapara district..... Complainant
-Vs-

Public Information Officer,
Bhojpur Gram Panchayat,
Khariar,
Nawapara district..... Opposite party

Decision

1. Complainant Dolananda Sarangi is absent. The same cannot be condoned today under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rule, 2006 as the State Commission vide orders dated 27.05.09 had specifically desired the Complainant's presence today to participate in the proceedings to arrive at a finality in the matter. Despite notice dated 09.07.09 sent by speedpost he is absent. Basistha Kumar Mund, Executive Officer-cum-PIO, Bhojpur Gram Panchayat, Khariar Block, Nawapara district is present. Heard. Perused the case record. This matter arises out of complaint petition dated 02.04.08.
2. The Complainant had filed form A application dated 01.02.2008 with the PIO, Bhojpur Gram Panchayat, Khariar Block, Nawapara district seeking information on the construction of the road from (i) Chanabeda to Bhojpur, and (ii) Chanabeda to Chitridhoda of Bhojpur G.P. After receipt of the said form A application, the PIO intimated on 14.02.08

the Complainant in form B to deposit Rs.1300/-as cost of the requested information.

The Complainant neither responded to the form B intimation nor was he present today during hearing of this case to ventilate his grievance, if any.

3. The State Commission had noticed on 27.05.09 that prima-facie there was no delay on the part of the PIO. However, before reaching a finality in this matter, the State Commission had felt it just and equitable to provide another opportunity to the Complainant to have his say. He was also informed that if he fails to enter appearance on the next date of hearing that is today, the case will be decided exparte on merits.
4. Despite notice by speedpost the Complainant has neither responded to the form B intimation within 30 days nor was present today during hearing of this case to ventilate his grievance(s), if any.
5. After hearing the PIO Basistha Kumar Mund and perusing the relevant documents, the State Commission being convinced that there was no malafide intention with the opposite party to withhold any information, decided to exonerate him with no orders on penalty. Accordingly, the case is disposed of and closed. Inform the Complainant.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 10th day of August, 2009.



SCIC

for 8-ef