

**BEFORE THE ORISSA INFORMATION COMMISSION**

**BHUBANESWAR**

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

**Date:-7<sup>th</sup> September, 2009**

**Complaint Case No.518 of 2008**

Narayan Mishra,  
Vill.Jagannath Prasad,  
Madhyakhaanda,  
Nayagarh District..... Complainant

-Vs-

1. Public Information Officer,  
Office of the District Project Officer,  
Sarva Shikshya Abhiyan,(SSA),  
Nayagarh
2. First Appellate Authority,  
Office of the District Project Officer,  
Sarva Shikshya Abhiyan (SSA),  
Nayagarh.....Opposite Parties



**Decision**

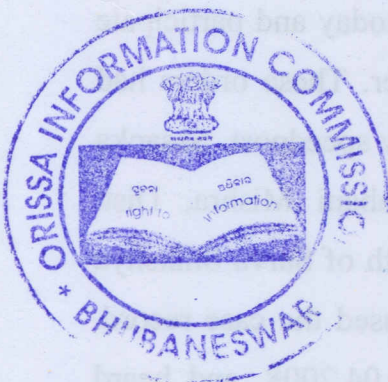
1. Complainant Narayan Mishra is absent. The same cannot be condoned today under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules,2006 as the State Commission vide their orders dated 27.05.09 had specifically informed him to be present today and participate in the proceedings to arrive at a finality in the matter. These orders had been communicated vide notice dated 29.07.09 sent by speedpost. Sasanka Sekhar Sahu, District Project Coordinator and Srabani Mishra, Dist. Coordinator, Girls' Education and ECCE and PIO, both of Sarva Shikshya Abhiyan, Nayagarh are present. Heard them and perused the case record. This case arises out of complaint petition dated 10.04.2008, and heard earlier on 27.05.09.
2. The Complainant had filed form A application dated 10.12.2007 with the PIO, Sarva Shikshya Abhiyan, Nayagarh seeking information relating to the Upar Hadapasi E.G.S. Centre in Gania Block. The same was received by the PIO on 13.12.07.

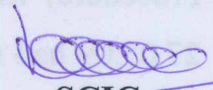
She intimated the Complainant on 17.12.07 to deposit the cost for providing information in form B. The Complainant sent the money order which was received by the PIO on 01.01.08, who supplied the information on 16.02.2008 through registered post with A/D after collecting them from other organisations. The sequence of events/actions did not indicate any laxity on the part of the PIO. It would have been appropriate for the Complainant to appear and clarify why he preferred a Complaint on 10.04.2008, when the PIO had sent on 16.02.08 by registered post with AD, the information as requested.

3. Being convinced that there was no malafide intention with the PIO, Sarva Shikshya Abhiyan, Nayagarh and finding that the small delay was circumstantial, the State Commission condoned the same and disposed of and closed the case with no orders on penalty.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 7<sup>th</sup> day of September, 2009.



  
**SCIC**  
7-9-09