

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

and

Shri Jagadananda, SIC

Date:15th January, 2009

Complaint Case No. 82/2007

Santosh Kumar Agrawal,
At/PO/PS-Bargarh,
Bargarh DistrictComplainant

-Vrs-

Public Information Officer,
Regulated Market Committee,
At/PO-Bargarh
Bargarh District.....Opposite Party



Decision

1. Complainant Santosh Kumar Agrawal is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Uma Charan Dash, Senior Clerk, Regulated Market Committee, Bargarh is present. PIO has sought leave of absence because of his personal difficulties. Prayer was accepted and absence condoned. Heard Uma Charan Dash. Perused the case record. This case arises out of complaint petition dated 22/01/07 , and heard on five earlier occasions.
2. The Complainant had sought information in form A application dated 15/11/06 from the PIO, Regulated Market Committee, Bargarh on the total amount of market fees payable, total amount of market fees paid on

each purchase and the date of purchase during the period 2000-01 to 2004-05.

3. The case was earlier heard on 19/09/07, 18/01/08, 07/02/08, 17/07/08 and 12/09/08. The PIO had submitted that the Complainant neither submitted any proof of his identity nor deposited the application fee while filing his form A application on 15/11/06. However, instead of rejecting the application supplied all information to the Complainant on 14/01/08, as he was known to them.
4. The State Commission had directed the PIO to maintain a file movement register so that all RTI application could be routed through the said register enabling proper tracking of applications. The PIO had stated that all subsequent RTI applications have been timely attended to by them except this solitary one (which was the first one received by them) due to their ignorance.
5. The State Commission had directed the PIO to produce the RTI Register. On 12/09/08, the PIO had exhibited the form F Register (prescribed under Orissa Right to Information Rules, 2005). It was found on scrutiny that all the other RTI applications had actually been attended to on time by the PIO except this one.
6. On 12/09/08, the representative of the Complainant had stated that he had not received the required information. On the contrary, the PIO mentioned that he had supplied the information on 14/01/08 by post to the Complainant, though legally he was not entitled to it as the application was not maintainable.

7. The State Commission had directed the PIO to provide another set of information to the Complainant, free of cost, and report compliance to the State Commission through the Register. Umacharan Dash stated that in obedience to the orders of the State Commission that another set of the required information was supplied to the Complainant vide letter no.895 dated 29/10/08.



8. In view of the above factual scenario, the State Commission find no malafide intention on the part of the opposite party, and hence exonerated him with no order on penalty. Inform the Complainant.

9. With the orders as above, the case is disposed of and closed.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 15th
day of January, 2009.




SCIC
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SIC 15/1/09