

**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**

**Present: Hon'ble Shri D.N.Padhi, SCIC  
and  
Shri Jagadananda, SIC**

**Date: 16<sup>th</sup> October, 2009**

**Complaint Case No.871/2007  
and  
Complaint Case No.872/2007**



Laxman Kumar Barik,  
At-Manpur,  
PO-Gobardhanpur-755019,  
Jajpur district.....Complainant

**-Vrs-**

Public Information Officer,  
Office of the Inspector of Schools,  
Jajpur Circle,  
Jajpur district.....Opposite Party

**Decision**

1. Complainant Laxman Kumar Barik is present. Bishnu Charan Sutar, PIO, office of the Inspector of Schools, Jajpur Circle, Jajpur is also present. Heard. Perused the case record. This case arises out of complaint petition dated 19/06/07 and heard by the State Commission earlier on 23/07/08, 17/10/08, 12/02/09, 04/06/09 and 30/07/09.
2. The Complainant has filed form A application dated 05/01/07 with the PIO, office of the Inspector of Schools, Jajpur Circle, Jajpur seeking

information on certain issues relating to deployment of Pramila Rout, peon of Manpur High School, Gobardhanpur, Jajpur district. The PIO intimated the Complainant vide letter no.2320 dated 09/03/07 that the problem of Pramila Rout had been looked into by the Authority concerned with a view to sort out the grievance relating to her transfer, as she had stated to have been harassed several times by the Head Master incharge. The Complainant on receipt of the information, filed another application in form A dated 21/03/07 seeking to know what action has been taken against the Head Master incharge who harassed that lady several times. In obedience thereto the PIO intimated the Complainant vide letter no.5607 dated 02/06/07 that no allegation had been filed by the said Pramila Rout against the Head Master incharge. Indeed , as per her representation she had been earlier deployed at Jhadeswar High School, Jajpur district.

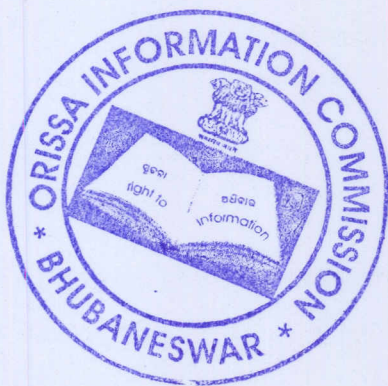
3. From the above discussed facts, the PIO has provided information to the Complainant after 32 days in respect of form A application dated 05/01/07 and in terms of second application dated 21/03/07, the PIO provided the information after 42 days.
4. As regards the delay, the PIO had stated on 04/06/09 that the information could not be supplied to the Complainant as the related file had been misplaced as the office had shifted to another building and could not be traced out on time. He pleaded that this was an isolated case where delay occurred but with no deliberation. The State Commission on 04/06/09 had directed him to submit an affidavit in this regard. In obedience to the orders of the State Commission, Bishnu Charan Sutar submitted today an affidavit dated 02/09/09 on the matter of the misplaced file. The same was perused and taken to record. The


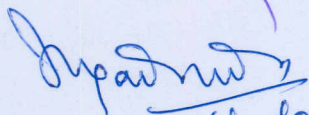
Complainant present today confirmed to have received all the information and he has no further residual grievance.

5. In view of the above position, the PIO is exonerated with no orders on penalty and the case is disposed of and closed. However, while parting with this case the State Commission observed that the PIO should have, in normal course, sought the clearance of the third party before providing any information to the Complainant, as no particular public interest seemed to be involved.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 16<sup>th</sup> day of October, 2009.



  
SCIC  
16.10.09  
  
SIC 16/10/09

MLL