

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 10th November, 2009

Complaint Case No. 892/2008

Ratikanta Behera,
At-Chundiha,
PO-Dukura,
PS-Khunta,
Mayurbhanj district Complainant

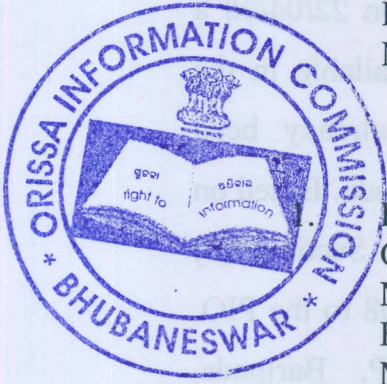
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Public Information Officer,
Office of the DRDA,
Mayurbhanj,
Baripada,
Mayurbhanj district

- Public Information Officer,
Office of the DPEP,
Mayurbhanj,
Baripada,
Mayurbhanj district Opposite Parties

Decision

- Complainant Ratikanta Behera is absent on call. The same is condoned under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Rita Dang, Additional Project Director (Admn.) –cum-PIO, District Rural Development Agency, (DRDA for short), Baripada, Mayurbhanj district is present. Heard and perused the case record. This case arises out of the complaint petition dated 24/06/08.




2. Complainant had filed form A application dated 24/03/08 (received on 31/03/08) seeking information in respect of the appointment of Satyanarayan Behera as Sikhya Sahayak under Khunta Block, photocopies of certificates and marksheet of the said person etc.
3. The PIO had forwarded the application on 04/04/08 to the Officer-in-charge Development Section to provide the information. On 22/04/08 a reply was received indicating that no information was available in the Section as the related files/ records of the said period had already been transferred to the District Project Co-ordinator, DPEP, Baripada. Based on this reply, the PIO transferred the said RTI application under Section 6(3) of RTI Act, 2005 vide letter no-3992/DRDA dated 24/4/2008 to the PIO, District Project Co-ordinator (DPC for short), DPEP, Baripada, Mayurbhanj district under intimation to the Complainant vide memo no-3993/DRDA dated 24/04/08 with a request to contact the PIO, DPEP, Baripada, Mayurbhanj to get his required information.
4. Subsequently, both the Development Section, DRDA as well as DPC, DPEP, Baripada, Mayurbhanj intimated vide their letter no-3469 dated 04/04/08 and letter no-3992 dated 24/04/08 respectively that information as sought by the Complainant were not available in their offices. Accordingly, the PIO, DRDA had intimated the said fact to the Complainant vide letter no-4285 dated 05/05/08.
5. After hearing from both the parties on 15/07/09, the State Commission had directed the PIO, DRDA to call Satyanarayan Behera, who had been working as a Sikhya Sahayak in Khunta Block, collect photocopies of his certificates, marksheets etc. and supply the same, free of cost, by 20/08/09 to the Complainant .

6. In obedience to the above directions of the State Commission, the Additional P.D., DRDA, Mahyurbhanj in his letter no. 4757 dated 05/09/09 supplied the photocopies of the above required documents including the certificates to the Complainant after collecting the same from the Block Development Officer, Khunta Panchayat Samiti.
7. Perusing the records, the State Commission observed that there was no mala fide intention on the part of Rita Dang, Additional Project Director (Admn.)-cum-PIO, DRDA, Baripada, Mayurbhanj district as she had to collect the required information from the BDO, Khunta and subsequently supplied the same, free of cost, to the Complainant. In view of the fact that the Complainant is absent today despite specific notice (presumably he has received his information) and the required information had been sent to the Complainant by the Additional P.D., DRDA, Mayurbhanj in letter no. 4757 dated 05/09/09, there is no further issue for consideration. As there was no delay in the initial reply with reference to the date of receipt of the form A application, the PIO and referred PIO were exonerated. The case is disposed of and closed with no orders of penalty. Inform the Complainant.

Pronounced in open proceedings

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




SCIC
10.11.09