

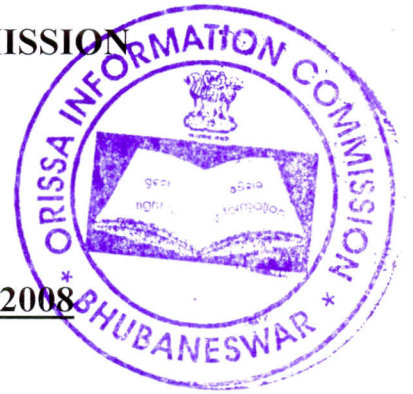
BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

Present: Shri Jagadananda, SIC

Date: 08th April, 2009

Complaint Case No. 1960/2007 and 355/2008



Anurup Chandra Das,
At/PO-Dhenkinenjia,
Via-Gadia, Suliapada,
Mayurbhanj DistrictComplainant

-Vrs-

Public Information Officer,
Office of the Principal,
Anchalika College, Gadia,
Mayurbhanj District..... Opposite Party

Decision

1. Complainant Anurup Chandra Das is absent despite notice. Goparanjan Mishra, Assistant Controller of Examination-cum-PIO, Council of Higher Secondary Education, Orissa, Bhubaneswar is present. Heard. Perused the case record.
2. The case was earlier heard on 02/12/08 and lastly on 06/01/09. It reveals from the record that the Complainant RTI application in form A before the PIO is not available. The Principal, Anchalika Mahavidyalaya, Gadia, Mayurbhanj district has responded to the Complainant vide letter no-302 dated 17/12/07. The complaint petition filed before the State Commission contains a grievance petition along with news paper cutting only. The case is covered with the case no-355/2008.

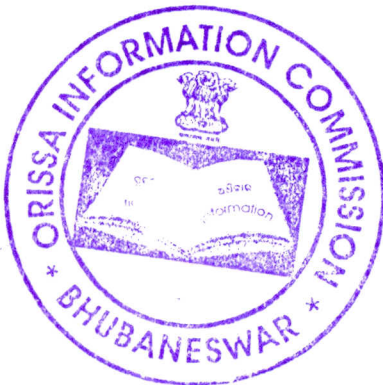
3. During the hearing on 06/01/09 it reveals from the records that the Complainant had filed form A application dated 09/01/08 before the PIO, office of the Principal, Anchalika Mahavidyalaya, Gadia, Mayurbhanj district for obtaining copies of the answer books, form no-20 incriminating materials and related issues. The PIO intimated the Complainant vide letter no- 17/08 dated 12/01/08 that incriminating materials recovered from the candidates have been sent to the Council of High Secondary Education, Orissa, Bhubaneswar for necessary action. Thereafter the Complainant filed another form .A application dated 21/01/08 with the PIO, Council of Higher Secondary Education for the same purpose. The PIO stated that the Complainant had not deposited the application fee for which he was intimated on 30/01/08 to deposit the same.

4. As soon as the Complainant deposited the fee, he was intimated vide letter no.1826 dated 23.2.08 that the information could not be supplied in view of the exemption prescribed under Section 8 (1) (g) of the RTI Act, 2005. The PIO also drew the attention of the Commission that for the self same issue another appeal case no. Second Appeal 10/2007 has been disposed of by the State Commission on 08.05.08 wherein the Commission had held that required information could not be shared for safe guarding greater interest of the examination norms and discipline. The PIO further stated that the matter was recommended to the Examination Sub-Committee which had awarded the punishment i.e. "R.C." (Result cancelled) in respect of the candidate.

5. After hearing the parties the State Commission had passed order that the incriminating materials and related examination records of the applicant be produced before the Commission for its perusal. The same was produced. On perusal of the documents the Commission is of the opinion that opposite parties have conducted themselves appropriately. However an opportunity was given to the Complainant today to be heard in the matter. Today the Complainant is not present despite notice served to him. Presumably, he has nothing further to agitate in the matter. Therefore the case is closed and disposed of. Inform the Complainant.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 08th day of April, 2009.



[Handwritten Signature]
SIC 8/4/09