

BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

Present: Shri Jagadananda, SIC

Date: 18th March, 2009

Complaint Case No. 959/2007



Kaminikanta Mohanty,
Vill-Dayanidhipur,
PO-Tentei,
Via-Anantapur,
Balasore
District.....Complainant

-Vrs-

1. Public Information Officer,
cum-Sub-Inspector of Schools,
Office of the District Inspector of Schools,
Balasore-II,
Soro,
Balasore District.
2. First Appellate Authority,
Office of the District Inspector of Schools,
Balasore-II,
Soro,
Balasore District.....Opposite Parties

Decision

1. Complainant Kaminikanta Mohanty is present. Purna Chandra Sethi, ex-First Appellate Authority-cum-District Inspector of Schools, Gangadhar Parida, PIO-cum-Sub-Inspector of Schools both from the office of the District Inspector of Schools, Soro, Balasore and

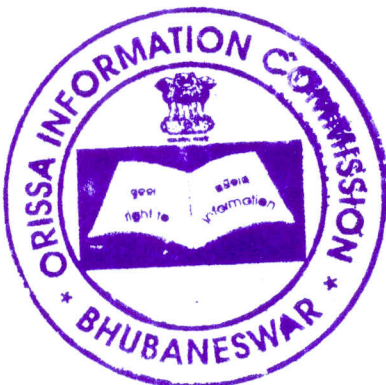
Gopabandhu Nayak, ex-PIO, Manibhadra U.P. School, Manitri, Soro, Balasore district are present. Heard both the parties and perused the case record. The case arises out of a complaint petition dated 25/06/07.

2. Complainant filed form A application on 28.02.07 before the PIO, District Inspector of Schools, Balasore-II, Soro, Balasore district seeking information pertaining to details of recruitment of primary school teachers and related issues. The Applicant was intimated seeking time of 15 days vide letter no.710(3) dated 06.03.07 as the information were not readily available owing to shifting of the office. The Complainant was kept informed vide letter no-938 dated 20/03/07 about further delay in furnishing the information. The first set of information as sought for by the Complainant was furnished on 04/04/07.
3. The PIO during the course of hearing submitted that as the old records could not be traceable, the Public Authority had tried their best to locate the same.
4. Aggrieved with the response of the PIO the Complainant filed first appeal before the First Appellate Authority on 23/05/07. The Complainant was intimated twice dated 27/06/07 and 03/07/07 to be present before the First Appellate Authority (i.e.) but he did not participate in the hearing. The Complainant was intimated vide letter no-2942 dated 22/06/07 by Registered Post to collect the available information but the same was returned with a postal remark that the addressee was absent.

5. The balance information sought in serial nos-3 and 5 were sent again through Registered Post on 26.09.08 and the same was returned with the postal remark that the addressee did not receive the information intentionally. The information stated to have been refused by the Complainant were furnished during the course of hearing and the same was acknowledged by the Complainant.
6. Both the PIO and the First Appellate Authorities appear to have acted diligently without any malice all throughout and there is no further issue to prolong the instant case. The State Commission clarified the time bound nature of the Act requiring to provide information within the stipulated time line under Section 7(1) of the Act. Seeking additional time is not permissible under the RTI Act and as such the PIO is cautioned not to repeat this in future. The District Inspector of Schools is directed to streamline the entire record management system at the Public Authority as per the Orissa Records Manuals 1964 scrupulously to minimize avoidable delays at the Public Authority.
7. With the above observations as supra, the case is disposed of and closed.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 18th day of March, 2009.



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18/3/09
SIC