

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

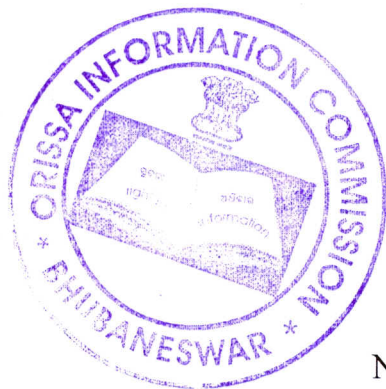
Present: Hon'ble Shri D.N.Padhi, SCIC

and

Shri Jagadananda, SIC

Date: 19th February, 2009

Complaint Case No. 126/2007



Nihar Ranjan Nayak,
Qrs. No-2RA-49/A,
Unit-8,
Bhubaneswar.....Complainant

-Vrs-

Public Information Officer,
SIET, Orissa,
Bhubaneswar.....Opposite Party

Decision

1. Complainant Nihar Ranjan Nayak is present. Deepak Das, PIO, SIET, Orissa, Bhubaneswar is also present. Heard. Perused the case record. This case arises out of complaint petition dated 06/02/07 and heard earlier by the State Commission on 09/10/07, 13/02/08 and 21/07/08.
2. The Complainant filed form A application on 27/12/2006 before the PIO, School and Mass Education Department, Government of Orissa, Secretariat, Bhubaneswar seeking information on 9 items regarding appointments made and connected issues in SIET. The information queries are annexed to form A application. The said PIO, Trilochan Pati transferred under Section 6(3) of the RTI Act, 2005 the

application to the PIO, SIET for furnishing the required information vide letter no.95 dated 03/01/2007. The Complainant had been kept informed in a memo endorsement of even date. The application after being transferred under Section 6(3) of the RTI Act, 2005 (Act for short) was received by the PIO, SIET on 06/01/2007. PIO, Deepak Das provided the information to the Complainant vide his letter no. 90 dated 21/03/2007. The Complainant submitted that he received the information only on one item out of nine items and hence the information was incomplete.

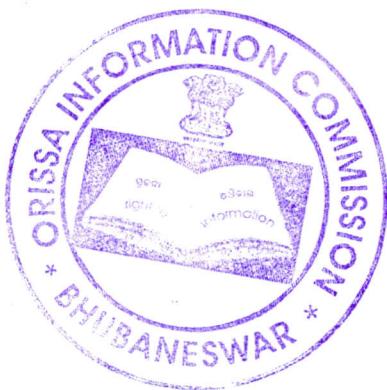
3. The PIO confessed that from the available records he could supply information only on one item and other items of information related to the Employee Provident Fund (EPF for short). The concerned file was then with the Director, TE and SCERT, Orissa, Bhubaneswar who is in additional charge of SIET as the Director. These two offices are located in two different buildings, far apart in Bhubaneswar, and all files are moved from one office to another for orders.
4. The State Commission on 09/10/07 had directed the PIO to provide the balance information after through search of the records and report compliance.
5. The PIO stated today that required information was not available in the SIET. He mentioned that SIET, Orissa was established in Bhubaneswar by the erstwhile Education and Youth Service Department under a Centrally Sponsored Plan scheme for a period of 5 years only from 1983-84 and fully funded by the Government of India. Subsequently, the SIET, Orissa was converted into an autonomous organisation and registered as a Society under the



Societies Registration Act, 1860 followed by a resolution issued by Government of Orissa vide no.1392 EYS dated 10/01/1990 and came into force with retrospective effect from 01/01/90. He further stated that the Complainant (who works in the SIET as a Farash) had initially requested for opening of a GPF account and the Accountant General, Orissa, Bhubaneswar was intimated accordingly. They responded that SIET being an autonomous body, GPF account could not be opened. As regards EPF facility, the same was also not possible as the criterion of having a minimum of 20 members could not be fulfilled. Therefore, the focal issue of the Complainant of either opening a GPF or and EPF account could not be redressed.

6. There was no malafide intention in sharing the information to the Complainant. In view of the situation, the case is disposed of and closed, with no orders on penalty.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 19th day of February, 2009.




SCIC
19-2-09

SIC 19/2/09