

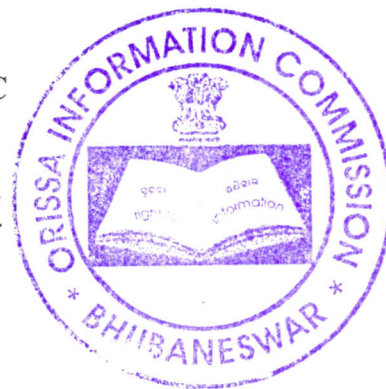
**BEFORE THE ORISSA INFORMATION COMMISSION**

**BHUBANESWAR**

**Present: Shri Jagadananda, SIC**

**Date: 17<sup>th</sup> February, 2009**

**Complaint Case No. 1748/2007**



Manas Kumar Sahu,  
At-Kebadi Road,  
Dharmagarh-766015,  
Kalahandi District.....Complainant

**-Vrs-**

Public Information Officer,  
Agriculture Department,  
Government of Orissa,  
Secretariat,  
Bhubaneswar.....Opposite Party

**Decision**

1. Complainant Manas Ranjan Sahu is absent. The same cannot be condoned under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006 in view of the previous order daed 04/12/08 in which the presence of the Complainant was considered essential. Dillip Kumar Mohanty, PIO-cum-Joint Secretary to Government, Agriculture Department, Government of Orissa, Secretariat, (Department for short) Bhubaneswar is present. Heard. Perused the case record. The case arises out of the complaint petition dated 20/11/07.
2. Record reveals that the Complainant filed form A application on 05/11/07 seeking information pertaining to website and suo motto disclosure of information and related issues. The said application was rejected under

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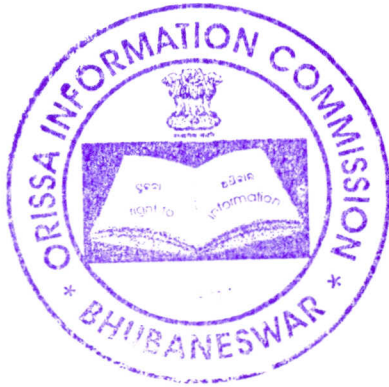
Section 7(9) of the RTI Act, 2005 (Act for short) vide letter no-35913/Ag dated 17/11/07.

3. On perusal of records it appears that there are two sets of information sought for by the Complainant. The first set of information relates to general programmes and activities of the Department and the second set relates to self disclosure under Section 4 of the RTI Act, 2005.
4. During earlier hearing the PIO had clarified the fact that the department had failed to comply with Section 4(1)(b) disclosure process within the stipulated period enshrined by the Act. However, they have completed all the exercises and the information are now available on their web site. Accordingly the Complainant was advised by the State Commission to inspect the web site and he was accorded an opportunity to say, if any, in this matter.
5. The Complainant had remained absent inspite of due notice served to him. It is assumed that the Complainant has no further issue to agitate in this instant case.
6. The State Commission is of the view that implementation of pro-active disclosure as per Section 4 of the Act is a collective responsibility of the Public Authority and the delay, if any, can't be attributable to the PIO alone. The head of the Public Authority (i.e.) the Principal Secretary, Agriculture is directed to ensure furnishing appropriate guidelines and set up a process to ensure compliance of the Act by the Department and subordinate offices expeditiously as per the provision under Section 4(1)(b)(c) of the said Act.

7. With the direction and observation as supra, the case is disposed of and closed. Inform the Complainant.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 17<sup>th</sup>  
day of February, 2009.



*Signature*  
SIC 17/2/09