

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**



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

and

Shri Jagadananda, SIC

Date 13th March, 2009

Complaint Case No.37/2007

Kailash Chandra Bag,
Sarigiguda,
Near Tannery,
Titilagarh,
Bolangir District.....Complainant

-Vrs-

1. Public Information Officer,
Office of the Commercial Tax,
Bolangir Circle-I,
Bolangir District.
2. First Appellate Authority,
Office of the Commercial Tax,
Bolangir Circle-I,
Bolangir District.....Opposite Parties

Decision

1. Complainant Kailash Chandra Bag and PIO, Bhishmadev Sahu Commercial Tax office, Bolangir Circle-I, Bolangir are present. Heard. Perused the case record. This case arises out of complaint petition

dated 10/01/07 and heard by the State Commission earlier on 04/09/07, 09/01/08, 19/06/08 and 12/09/08.

2. The Complainant had sought information in form A application dated 18/11/06 from the PIO, Commercial Tax office, Bolangir Circle-I on the action taken against M/s. Turbolyne System Solution, Bolangir on the basis of letter no.1880 dated 12/07/06 of the General Manager, DIC, Bolangir regarding submission of fake bills and money receipt issued to Santosh Kumar Padhi of Hatapadapara, Bolangir alongwith the photocopies of the documents on the action taken.
3. In response thereto the PIO intimated the Complainant vide letter no.4200 dated 28/11/06 to deposit Rs.42/- being the cost of information. Pursuant to the said letter, the Complainant deposited the amount on 05/12/07. The PIO sent the information vide letter no.4266 dated 07/12/06. The latter, however, mentioned in his complaint petition that the information received were false, misleading and incomplete. The State Commission had held on 11/09/07 that admittedly photocopies of the document, if any, indicating action taken have not been supplied to the Complainant.
4. The State Commission on the said date had directed the PIO to supply complete information, within 15 days, strictly in accordance with form A application dated 18/11/06.
5. On 09/01/08 the PIO had stated the in obedience to the orders of the State Commission, he had supplied the required information to the

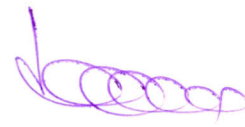
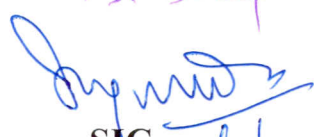
Complainant vide letter no.2612 dated 30/10/07. This delay by the PIO was adversely noted by the State Commission.

6. The Complainant present today mentioned that (i) he had received all information as required by him but, (ii) the PIO had charged Rs.20/- as application fee and the cost of information @ Rs.5/- per each of photocopied page. He had incurred loss of Rs.18/-. PIO was directed to refund Rs.18/-to the Complainant forthwith which he did during course of hearing, under appropriate receipt.
7. With the above observations the case is disposed of and closed with no orders on penalty as the initial reply for deposit of the cost of information was within the maximum stipulated time under the RTI Act, 2005.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 13th day of March, 2009.




SCIC
13.3.09

SIC
13/3/09