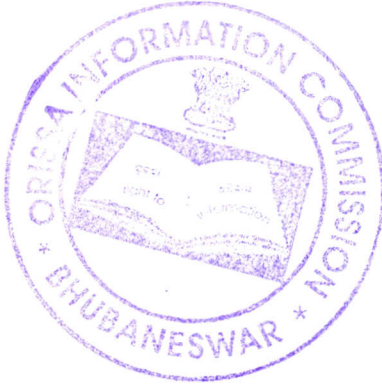


**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

**Present: Hon'ble Shri D.N.Padhi, SCIC
and
Shri Jagadananda, SIC**

Date:12th February, 2009

Complaint Case No. 84/2007



Baghambar Pattanaik,
At/PO-Dimirisena,
Via-Brahmagiri,
Puri -752011,
Puri districtComplainant

-Vrs-

1. Public Information Officer,
Office of the Secretary,
Board of Revenue,
Cuttack.
2. First Appellate Authority,
Office of the Secretary,
Board of Revenue,
Cuttack.....Opposite Parties

Decision

1. Complainant Baghamabr Patnaik is absent. The same is condoned under Rule 9 of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Sarat Kumar Nayak, PIO-cum-Under Secretary, Board of Revenue, Cuttack is present. Heard. Perused the case record. This case arises out of complaint petition dated 27/01/07 and heard by the State Commission on 27/04/07, 10/08/07, 16/11/07,14/02/08, 25/07/08 and 25/11/08.

2. Complainant Baghamabar Pattanaik had in form A application dated 14/12/06 sought to know from the PIO, Board of Revenue, Orissa, Cuttack the action taken on the letter sent by Collector, Puri to the Secretary, Board of Revenue, Orissa, Cuttack seeking clarification on correction of the Record of Rights in the name of Bhoodan Yojna Samiti as Patta holders vide District Office, Puri Judicial Section letter no.1944/Judl. dated 10/10/02.

The PIO, in response intimated him vide letter no. 1447 dated 24/07/07 that after receipt of a report from the Collector, Puri, the matter was under examination and all possible efforts were being made to provide the information. There has been inordinate delay in this matter since filing of the RTI application.

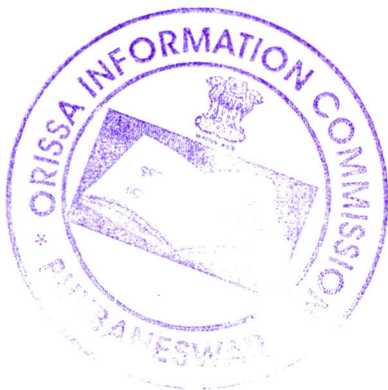
4. After hearing the parties, the State Commission on 27/04/07 directed the PIO to supply the information to the Complainant within 30 days, that is, by 26/05/07 positively and report compliance through the Registrar of the State Commission.

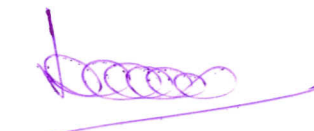
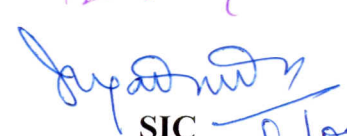
5. Complainant had submitted on 16/11/07 that the PIO-cum- Under Secretary, Board of Revenue, Cuttack had provided the required information to him vide letter no.1237 dated 07/09/07. He further stated that as he had no further issue to raise in connection with this application and, therefore, requested that the complaint case be closed.

6. As regards delay, the PIO had stated that as per the prescribed procedures under the revenue laws, several stages of verification etc, public notice etc. are required to be issued and hence the system cannot be short-circuited. However, this was the only case in the Public Authority where delay had occurred and that too due to procedural requirements. No other RTI application on other subjects had been delayed. The State Commission had directed him on 25/11/08 to come with form F Register as prescribed under the Orissa Right to Information Rules, 2005 to prove the veracity of his statement. Today, the PIO submitted the form F Register where it was found that all the RTI applications has been attended to on time except this solitary one. Therefore, the PIO is exonerated and the case is disposed of and closed with no orders on penalty. Inform the Complainant.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 12th day of February, 2009.




SCIC
12-2-09

SIC
12/2/09

7/11