

**BEFORE THE ORISSA INFORMATION COMMISSION**

**BHUBANESWAR**

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

**Date: 1<sup>st</sup> July, 2008**

**Complaint Cases No.198/07 and 199/07**

Digasen Mangaraj,  
At/PO-Kankeri,  
Dharamgarh,  
Kalahandi District.....Complainant

-Vrs-

Public Information Officer,  
Office of the Block Development Officer,  
Dharamgarh,  
Kalahandi District.....Opposite Party

**Decision**

1. This common order will govern both the cases indicated above. Complainant Digasen Mangaraj is present. Biranchi Narayan Rout, PIO, Dharamgarh Block and Muralidhar Mund, Executive Officer, Kankeri Gram Panchayat under Dharamgarh Block are present. Heard all of them to their satisfaction. Perused the case record. This matter has been heard earlier twice on 13/11/07 and 16/01/08. Hearing today was in the context of Complaint Case no. 198 /2007.

2. The facts of the case are as follows:-

The Complainant had filed form A application dated 17/11/ 06 with the PIO, office of the Block Development Officer, Dharamgarh, Kalahandi District seeking information relating to development works and sanctions issued in respect of Bankimunda village of Kankeri Gram Panchayat. The BDO, Dharamgarh vide letter no. 1032 dated 31/05/07

informed the State Commission that the Complainant had filed 2 (two) applications on 17/11/06 on self-same issues for which another complaint petition in respect of other form A application dated 17/11/06 is registered as Complaint Case no. 199 of 2007. It shall not be out of place to mention that in both the form A applications, the Complainant had expressed his desire to receive the information in person. The documents indicate that the PIO had supplied the information in time. The Complainant confirmed that he had received the information but submitted that large scale financial misappropriation has taken place in the said Gram Panchayat for which the matter has been referred to the Vigilance Department and the Collector, Kalahandi District for enquiry. Relevant to mention here is that the Complainant strongly pleaded with the State Commission to order an enquiry through the Collector and District Magistrate, Kalahandi District into the suspected / alleged financial misappropriations. It was made clear to him that the State Commission is not empowered to ask for such enquiries except those relating to delay and / or denial of information or any plea including non-availability and / or non- traceability of records / documents/ registers / files etc coming within the ambit of the RTI Act, 2005, Orissa RTI Rules, 2005 and Orissa Information Commission (Appeal Procedure) Rules, 2006.

3. In view of the above, the case is disposed of and closed.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 1<sup>st</sup> day of July, 2008.



**SCIC**

1-7-08