

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Shri Jagadananda, SIC

Date: 10th September, 2008

Complaint Case No. 360/2007

and

Complainant Case No.711/2007

Shruti Singh Cahuhan,

E-109,Pandav Nagar,

Delhi-110097.....Complainant



-Vrs-

Public Information Officer,

Parliamentary Affairs Department,

Government of Orissa,

Secretariat,Orissa,

Bhubaneswar.....Opposite Parties.

Decision

1. This common order relates to both the above Complaint Cases since they have arisen out of the selfsame cause of action and were tagged up by order dated 24/07/08. Complainant Shruti Singh Chauhan is absent. The same cannot be condoned this time as per Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006 since, her presence was considered essential to come to a finality in the matter of her request. Sk.Tajudin Ahemad,PIO and Deputy Director-cum- Deputy Secretary, Information and Public Relations Department, (I. and P.R. Department for short) Orissa, Bhubaneswar (opposite party) is present. Heard. Perused the case record.
2. From the complaint petitions dated 21/03/07 and 05/06/07 as well as the report of the PIO, Information and Public Relations Department

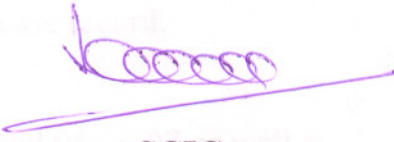
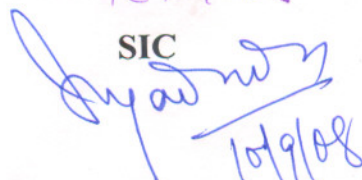
vide letter no. 20957 dated 07/07/07 and the documents filed by him, the Complainant while submitting her request for information had evidently not used form A application prescribed in Orissa Right to Information Rules, 2005 which is a mandatory requirement. She had sent her request dated 09/02/07 (received on 21/02/07) to the residence office of the Chief Minister, Orissa which was transferred the same day to the PIO, I and P.R. Department vide letter no. 492 under intimation to Parliamentary Affairs Department in memo no. 493 dated 21/07/07. The latter, in turn transferred it to the I & P.R. Department vide letter no. 1232 dated 24/02/07 with an endorsement to the Complainant. The PIO, I and P.R. Department rejected her request for want of form A application and accordingly intimation in form C prescribed under the Rules supra was communicated to the Complainant at her New Delhi address. Thereafter another application was received by the PIO, I and P.R. Department, Orissa, Bhubaneswar on 03/04/07. Even while submitting the second request for the same information the Complainant had not used the above prescribed format (form A) . Her second application was also rejected on the same grounds and she was intimated vide letter no. 13068 dated 24/04/07. Alongwith the orders of rejection, she was also informed that most of the information required by her are already available on the website of the State Information Commission which could be accessed at www.orissa.soochanacommission.nic.in. From the above factual narration, it is clear that both the requests submitted by the Complainant for information, one addressed by the residence office of the Chief Minister and the other to the PIO, I and P.R. Department, have been responded to on time by the PIO, I and P.R. Department, though they were not strictly RTI applications.

3. This case was last heard on 24/07/08, when the State Commission upon learning from the opposite party that information have been provided to the Complainant on time had observed that the fact of supply of information by post to the Complainant residing in New Delhi by the PIO can not be crossed checked in her absence.
4. Accordingly, the State Commission were of the considered view to provide an opportunity to the Complainant to have her say in the matter and adjourned the case to to-day for her appearance. Necessary notice dated 13/08/08 by speedpost was sent to her Pandav Nagar residence in New Delhi. The same has not been reported "unserved" by the postal authorities. Even then she is absent today. There is no communication from her either.
5. Hence it can be reasonably inferred that she has no grievance in this matter. The case is, therefore, disposed of exparte in her absence and closed. She is, however, free to file fresh application(s) in form A in the appropriate manner. Inform all concerned including PIO, I and P.R. Department.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 10th day of September, 2008.




SCIC
10-9-08
SIC

10/9/08