

BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

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

Date: 31st July, 2008

Complaint Cases No. 434/2007, 477/2007 and 623/2007

Nabanita Patnaik,
C/o- Sri Ramakanta Das,
At-Ranihat,
Cuttack-7 Complainant

-Vrs-

Public Information Officer-cum-
ST & SC Development Department,
Government of Orissa,
Secretariat,
Bhubaneswar Opposite Party



Decision

1. Complainant Nabanita Patnaik is absent. Her absence is not condonable in view of the earlier orders passed by the State Commission in this case on 23/04/08 seeking her presence to clarify the contentious issue of proof of identity. This matter arises out of Complaint petition dated 19/05/07.
2. It was found that the Complainant had filed three cases, viz Complaint case nos. 434 of 2007 (form A application dated 09/03/07), 477 of 2007 (form A application dated 17/03/07) and 623 of 2007 (form A application dated 13/04/07). In all the said cases, sent by post, the Complainant had described herself as Nabanita Patnaik but in the copy of her election voter's identity card filed by her, she has been described as Nabanita Das. Thus the PIO entertained reasonable doubt regarding the identity of the applicant and sought a clarification vide letter no 11379 dated 16/03/07 from her to explain the above discrepancy. Since the PIO had taken the above legal objection, he cannot be faulted. However, it is noticed from letter no 15377 dated 30/04/07 that the intimation from the PIO to the Complainant returned unserved.

3. Having noticed from the records as above, the State Commission felt it just, proper and equitable to provide an opportunity to the Complainant so that she can appear in person to clarify the above discrepancy. Accordingly notice was sent to the Complainant on 18/02/08 by speedpost for her appearance before the State Commission today. In spite of the said notice the Complainant is found absent on repeated calls. The fact that the notice sent by speedpost has not been returned by the postal authorities, it can be accepted that the notice was served on her.
4. Dasarathi Satapathy, Under Secretary-cum-PIO, ST and SC Development Department is present. The PIO raised the same issue of questionable identity of the application. The Complainant is absent despite opportunity given to her. No illegality appears to have been committed by the PIO. Hence the three cases of the Complainant are dismissed and closed by the common order. She is, however, free to file fresh application(s) in form A, with appropriate legal identity. Inform the Complainant.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 31st day of July, 2008.


SCIC

31-7-08