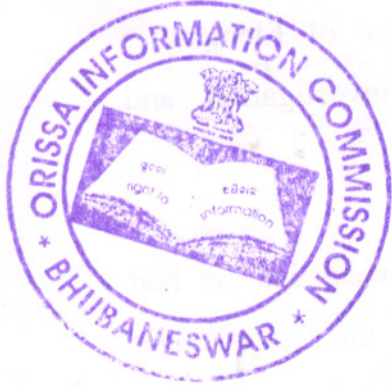


BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Date: 21st July, 2008

Complaint Case No.73/2007



Bansidhar Patnaik,
At-Agraham Street,
PO-Chatrapur-761020,
Ganjam District.....Complainant

-Vrs-

Public Information Officer,
School and Mass Education Department,
Government of Orissa,
Secretariat,
Bhubaneswar.....Opposite Party

Decision

1. Both the Complainant and the PIO, School and Mass Education Department, Government of Orissa, Secretariat, Bhubaneswar are absent on repeated calls. Perused the case record which reveals that the PIO had been fully heard on 20/06/08. His absence will not materially effect the situation of the case.
2. A scrutiny of the documents on record show that this case has been heard thrice by the State Commission on 18/09/07, 08/01/08 and 20/06/08. Factual background of the case is as follows:
Form A application of the Complainant dated 17/11/06 was filed with the PIO, School and Mass Education Department, Government of Orissa, Secretariat, Bhubaneswar seeking to know (i) the action taken

on sanction of one arrear claim bill amount to Rs.2122/- of Smt. Prasant Kumari Patnaik which was transmitted to the Government vide letter no.3107-G dated 21/06/99 by the Directorate of Elementary Education, Orissa, Bhubaneswar for sanction of investigation, and (ii) it's expected date of sanction/payment.

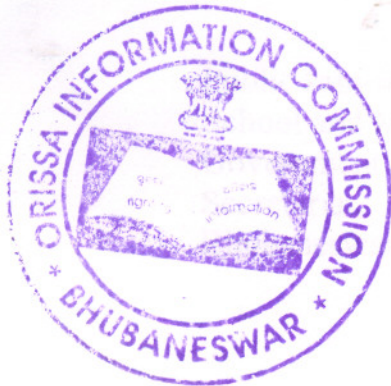
4. During hearing on 18/09/07, the PIO had mentioned that he had received the application on 25/11/06 and informed the Complainant vide letter no.23431 dated 29/11/06 that the required information was under collection and shall be supplied on receipt. Subsequently the PIO had intimated the State Commission vide letter no.20447 dated 09/10/07 that investigation of arrear claims of Prasanta Kumari Patnaik, ex Head-Mistress, Upper Primary School, Karapada under District Inspector of Schools, Chatrapur, Ganjam district amounting to Rs.2122 had been sanctioned and communicated to Director, Elementary Education, Orissa vide letter no.4145 dated 28/02/07 during hearing on 20/06/08. The PIO had also taken legal objection to the query as item no (ii) for information stating that the same cannot be included within the definition of "Information under Section 2 (f) of the RTI Act, 2005 since it was not related to any material available in the Department and the proposal was under financial scrutiny as per the applicable rules of Government. He had further submitted that in a citizen friendly manner all arrear claims of Prasanta Kumari Patnaik (wife of the Complainant) had sanctioned and paid to her setting at rest the grievance in perpetuity.
5. Having heard the PIO, the State Commission felt it expedient to accord an opportunity to the Complainant to have his say but he has preferred to remain absent. Presumably the Complainant has received all the


information and no grievance is pending in so far as this Complaint Case is concerned.

6. In view of the above, the case is disposed of and closed. Inform both parties.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 21st day of July, 2008.




SCIC
21.7.08