

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 11th September, 2008

Complaint Case No. 898/2007

Shantiranjana Behera,
Ward no.22, Raghunathpur,
Baripada-757001,
Mayurbhanj district.....Complainant

-Vrs-

Public Information Officer,
Office of the Divisional Forest Officer, (DFO),
Baripada,
Mayurbhanj district.....Opposite Party.



Decision

1. Complainant Shantiranjana Behera and Salorum Marandi, ex-PIO and Gagan Bihari Nayak, APIO and Raj Kumar Swain, PIO, office of the Divisional Forest Officer, Baripada, Mayurbhanj district are present. Heard. Perused the case record. This arises out of Complaint Petition dated 29/06/07.
2. In form A application dated 31/03/07, the Complainant had initially sought information from the PIO, office of the Divisional Forest Officer, Baripada on 6 items, namely (i) how many people had been arrested under the Indian Forest Act, 1927, Forest Conservation Act, 1980 and the Wild Life (Protection) Act, 1972 during the period from 2000-2007, (ii) how many Forest Officers had been punished under the

Indian Forest Act, 1927, Forest Conservation Act, 1980, and the Wild Life (Protection) Act, 1972 respectively during the last 6 years i.e., from 2000-2001 to 2006-2007, (iii) how many people had been employed under the D.F.O., Baripada, Mayurbhanj district in each category, nature of employment (iv) how many vacancies still existed under the D.F.O., Baripada and since when, and steps had been taken for filling up the vacancies (v) what was the budget provision for the office of the D.F.O. during the last 6 years i.e. 2000-2001 to 2006-2007 Activities undertaken during said period, (vi) Whether the Accounts had been audited by the Statutory Authorities (CAG of Government of India) during the same period ? If so, when the Audit has been done, by whom and for what period.

3. The case was last heard on 22/04/08 when the Complainant had submitted that he had not received any information. On the other hand, the PIO had stated that the Complainant had (in the first phase) submitted a Treasury Challan of Rs.10/- towards application fee deposited in favour of Additional District Magistrate, Mayurbhanj district and not in favour of the PIO, office of D.F.O, Baripada. He had, therefore, asked the Complainant vide letter no. 2842 dated 16/04/07 to submit the RTI application to the Additional District Magistrate, Mayurbhanj district, Baripada. As suggested the Complainant filed (in the second phase) the same with the PIO, Mayurbhanj Collectorate on 20/04/07 who transferred it on 25/04/07 to the PIO, office of the DFO, Baripada, who

on receiving the application (third phase) on 25/04/07 intimated the Complainant vide letter no. 3412 dated 14/05/07 to deposit Rs.37/- (including registered post charges) towards cost of providing information. The Complainant submitted that he had not received the said letter and the action of the PIO in any case, was violative of the provisions under Section 7 (6) of the RTI Act, 2005. The PIO submitted that after receiving the summons from the State Commission on 30/07/07 the required information were sent by post , free of cost, to the Complainant vide letter not. 1570 dated 04/03/08. While confirming the receipt of the information, the later stated that they were incomplete.

4.

The State Commission after hearing the parties on 22/04/08 had directed the PIO to provide complete information free of cost within 7 days to the Complainant through registered post and also directed him to produce the Issue Register to ascertain whether letter no. 3412 dated 14/05/07 purported to have been sent , was indeed despatched. The PIO stated that in obedience to the orders of the State Commission the Complainant had been provided required information afresh, free of cost, vide letter no. 3196 dated 09/05/08 through registered post. The PIO also exhibited the Issue Register wherein it is found that letter no. 3412 dated 14/05/07 had, indeed, been sent to the Complainant. The record reveals that all actions in the three phases, have been completed within



the maximum timelines permitted under the Act. Hence, no orders on penalty.

5. 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
11th day of September, 2008.


~~SCIC~~
4.9.08



TML