

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 30th July, 2008

Complaint Case No.09/2007

Prahallad Padhi,
At-Kadopora,
PO-Patnagarh,
Balangir District.....Complainant



-Vrs-

1. Public Information Officer,
Office of the Sub-Collector,
Patnagarh,
Balangir District.
2. First Appellate Authority,
Office of the Sub-Collector,
Patnagarh,
Balangir District.....Opposite Parties

Decision

1. Complainant Prahallad Padhi is absent, He is represented by Pradip Pradhan by way of an authorization letter. The same was accepted. Daulat Chandrakar, PIO-cum- Revenue Officer, office of the Sub-Collector, Patnagarh, Balangir district and Dillip Kumar Mishra, Junior Clerk, Tahasil office, Kantabanji are present. Heard. Perused the case record. This matter arises out of petition dated 02/01/07 of the Complainant.
2. Complainant had sought in form A application dated 29/07/06 from the PIO, office of the Sub-Collector, Patnagarh, Balangir district, the copies of the cash book, vouchers, bills etc relating to the tender file 2006-2007 of Harisankar Temple. This case had been heard earlier by

the State Commission four times i.e. on 29/08/07, 31/10/07, 06/02/08, 29/04/08. The PIO had mentioned that he had intimated the Complainant vide letter no. 1845 dated 25/08/06 to deposit Rs.2168/- towards the cost of providing information. The latter deposited the said cost on 02/09/06 and received the information on 08/09/06. All these activities were completed within the mandatorily prescribed maximum time lines.

3. During hearing on 29/08/07 the Complainant had mentioned that on an earlier date i.e. 27/04/06 he had filed another form A application to inspect the files/ documents concerned. It was after that inspection that he had filed form A application dated 29/07/06 to obtain the aforesaid information by way of photocopies. Surprisingly, the information he received were fewer numbers of pages than what he had noticed during the inspection of the records. After extenso hearing of the parties, the State Commission had designated Sub-Collector, Patnagarh as an authorized Officer under Rule 7 (1) (c) of Orissa Information Commission (Appeal Procedure) Rules, 2006 to enquire and report on the matter of the missing file and when received, had allegedly lesser number of pages. The Sub-Collector, Patnagarh on 31/10/07 had mentioned that his enquiry revealed that the file was supposed to have been handed over by Dillip Kumar Mishra, ex-Dealing Assistant to Ramesh Chandra Sahu, Endowment Inspector but the same went missing and, later, mysteriously received in the office by post with the tender papers relating to “ Coconut Bhog” including few pages of the notesheets missing. Who had unauthorizedly taken the file and later returned the same by post could not be ascertained. On the other hand, Ramesh Chandra Sahu, Endowment Inspector had

submitted during the enquiry that he had never received the file. In this connection, it seems Dillip Kumar Mohapatra, Revenue Officer, Patnagarh had been separately delegated with powers to enquire into the matter vide office order no.2848 dated 09/09/07. Since he failed to ascertain the truth, an FIR has been lodged vide letter no.3260 dated 27/10/07 with the Patnagarh, Police Station. The Complainant on 06/02/08 had submitted that he had not yet received the information relating to tender of "Coconut Bhog". The required information, obviously, could not have been received by him as the paper/notesheets were missing.

4. The State Commission had directed on 06/02/08 the Sub-Collector, Patnagarh to conduct a fresh enquiry. The Sub-Collector, Patnagarh vide letter no.551 dated 19/02/08 submitted that the said tender papers relating to "Coconut Bhog" contract of 2006-07 of Harisankar Temple were still not traceable. In this connection, he had submitted an affidavit dated 06/02/08 duly sworn by him. The same is now on record.
5. The representative of the Complainant submitted that the condition of office of the Sub-Collector, Patnagarh was very precarious and there is every possibility of such events of missing of files being frequently repeated. If the officers are not vigilant and alert, the same type of situation would perpetually arise.
6. After hearing, the State Commission directed the Sub-Collector-cum-Executive Officer, Debottar to streamline the office procedures forthwith and ensure expedition of the investigation regarding

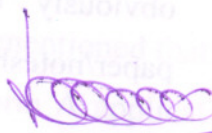


missing of files/ documents as stated in the FIR. In view of the timely responses there are no orders regarding penalty.

7. With the above direction, the case is disposed of and closed.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 30th day of July, 2008.


SCIC
30-7-08

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