

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 29th October, 2008

Complaint Case No. 594/2007

Janmejaya Naik,
At/PO-Dharamgarh,
Kalahandi district.....Complainant

-Vrs-

Public Information Officer,
Office of the Sub-Collector,
Dharamgarh,
Kalahandi district.....Opposite Party



Decision

1. Complainant Janmejaya Naik is absent. His absence at the present juncture is not condonable since the State Commission in their earlier orders dated 09/04/08 had desired to hear the Complainant in person to reach a finality in this matter. Accordingly, fresh notice was sent to him by speedpost on 19/04/08. Abinash Rout, Deputy Collector-cum-PIO, office of the Sub-Collector, Dharamgarh, Kalahandi district is present. Heard. Perused the case record. This matter arises out of petition dated 10/05/07.
2. It is seen from the documents on record that the Complainant had filed form A application dated 03/04/07 with the PIO, office of the Sub-Collector, Dharamgarh, Kalahandi district requesting to know the status of compliance of the provisions of Section 4 (1) (b) of the RTI Act, 2005, that is suo-moto-disclosure by Public Authority. He had

indicated to receive the information in person. The PIO submitted that he intimated the Complainant vide letter no.2457 dated 16/04/07 to see and receive the information, but the Complainant did not turn up. The State Commission upon consideration of the above facts and circumstances of the case felt it expedient, in the interest of equity, to provide another opportunity to the Complainant to appear and take part in the hearing of the case. Despite the opportunity given, the Complainant is absent without any prayer/intimation for adjournment.

3. The circumstances indicate that the PIO had acted with due diligence and no malafides can be attributed to him. Hence the case is found to be devoid of any merit and dismissed. No orders on penalty. Inform the Complainant.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 29th day of October, 2008.



SCIC

29.10.08

211