

BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

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

Date: 17th October, 2008

Complaint Case No. 842/2007



Ritarani Das
At/PO-Tentulei,
Via-Dera Colliery,
Talcher,
Angul district.....Complainant

-Vrs-

Public Information Officer,
Office of the Panchayat Executive Officer,
Tentulei Gram Panchayat,
Talcher,
Angul district.....Opposite Party

Decision

1. Complainant Ritarani Das is absent. Her absence is condoned vide Rule 9(2) of the Orissa Information (Appeal Procedure) Rules, 2006. Subash Chandra Das, BDO-in-charge Talcher Block, Purnima Sahu, PIO Tentulei Gram Panchayat and Asit Kumar Das, Secretary, Tentulei Gram Panchayat, Angul district are present. Heard the opposite parties and perused the case record. This matter arises out of petition dated 19.09.07.
2. It reveals from the record that this case was last heard by the State Commission on 18.4.08 when Complainant Ritarani Das was present. The Complainant in her form A application dated 25.7.07 had sought four items of information as follows: (i) non-payment of IAY amount to Mitika Behera and Tanu Nayak, (ii) the case record on digging a well at Tentulei Gram Panchayat, (iii) copy of Village Committee meeting held on 04.04.07, and (iv) copy of Village Committee meeting held in June, July, August and September of 2007. Item no.1 related to sanction of IAY funds to Mitika Behera and Tanu Nayak. During hearing on 18.4.08, it was submitted by the PIO that no case record was available in the Panchayat relating to the said item of information.

As regards the remaining 3 items of information, the PIO had submitted no document was available and that no Village Committee meeting had been held on 04.04.07. Accordingly, she had communicated the said fact to the Complainant on 17.8.07, which was found to be within the permissible maximum time available under the Act.

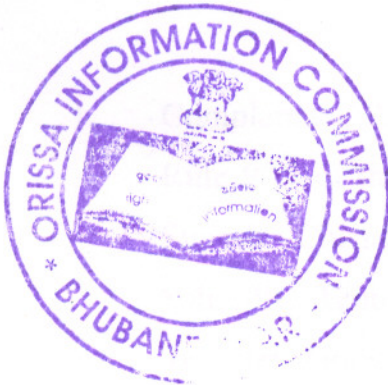
The Complainant who was present on 18.4.08 denied having received any such communication dated 17.8.07. The PIO volunteered to provide another copy as she had a spare copy of that communication. On being directed by the State Commission, the PIO gave a copy, free of cost, to the Complainant. In the communication supra there was no mention regarding the Village Committee meetings held from June to September, 2007.

3. Upon hearing both the parties on 18.04.2008, the State Commission had felt it expedient to hear Taranisen Nayak, BDO, Talcher Block and Asit Kumar Nayak, Secretary Tentulei G.P. Accordingly, notices had been issued to both of them on 26.4.08. The Secretary of the Panchayat is present today but the then BDO, Taranisen Nayak is absent. This is a violation of orders. The officer concerned should be careful in future.
4. Purnima Sahu, PIO, Tentulei, Gram Panchayat pleaded that the case record relating to digging of well at Tentulei Gram Panchayat was not available in the Panchayat Office and, therefore, she has not been able to provide that information.
5. As regards item no.1 the PIO had stated that no record was available regarding disbursement of IAY amounts as no funds had been released. She further stated that as regards item no.2 the Complainant had not sought for a copy of the case record regarding digging of a well in the Panchayat, and with respect to information item nos. 3 and 4 the PIO submitted to have supplied the same to the Complainant on 28.6.07.
6. Having heard the PIO, the State Commission were of the considered opinion that in view of the response dated 17.08.07 by the PIO being within 30 days, there is no need to prolong this case.

While exonerating the PIO, the State Commission directed her to intimate the Complainant in detail regarding all the information and permit her to inspect, free of cost, all available case records/documents available in the Gram Panchayat office, concerning this request. With these directions the case is disposed of and closed with no orders on penalty.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 17th day of October, 2008.




SCIC
17.10.08