

**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**



**Present:- Prof. Radhamohan, SIC**

Dated: - 18th April, 2007

**Second Appeal No 118/2006**

Shri Ramakanta Mahapatra,  
Assitant Manager, Finance,  
Southco, JE Division,  
Jeypore-764003,  
Koraput District.....Complainant

-Vrs-

1. Public Information Officer  
OPTC Ltd, Bhoinagar,  
Bhubaneswar-22.
2. Public Information Officer  
cum-Deputy Secretary,  
SC and ST, Development Department,  
Secretariat,  
Bhubaneswar.
3. Public Information Officer,  
Energy Department,  
Government of Orissa,  
Secretariat,  
Bhubaneswar.
4. First Appellate Authority,  
Office of the Director (HRD),  
OPTC Ltd, Bhoinagar,  
Bhubaneswar-22.....Opposite Parties

### Decision

1. Appellant Shri Rama Kanta Mohapatra is absent. His absence is immaterial in view of the provisions of Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. The APIOs Smt. Madhumita Swain and Shri Manas Rajan Lenka and PIO Shri Ajay Kumar Das, are present. The First Appellate Authority Shri Debasis Saha is absent. He has informed the State Commission vide his letter no.6238 dated 12/04/07 (filed by the PIO today) that he is pre-occupied in his official tour. The said request is accepted. Heard the Respondents and perused the Appeal case record.
2. During the hearing of this appeal on 12/12/06 by the State Commission, the First Appellate Authority and APIO Smt. Swain submitted, that they would extend all co-operation to the Appellant in providing information to his satisfaction and for that they should be allowed 15 days time for compliance. In obedience to this submission, the PIO of the Public Authority vide his letter no.20532 dated 21/12/06 has provided information sought for by the Appellant, which have been admittedly received by the Appellant.
3. After receipt of the said information, the Appellant has filed another petition dated 12/03/07 (received in the State Commission on 13/03/07) alleging that he needs further information from the PIO of the Public Authority. The PIO when asked about the said application of the Appellant, the copy of which has been endorsed to him candidly submits that the information which have been sought for in

the said application were not the subject matter of the original application for information submitted by the Appellant in form A dated 05/05/06. The State Commission also perused the said petition and compared the information sought for with that of the contents of the form A application referred to above. The State Commission is satisfied that fresh information which are not the subject matter of the original form A application have been sought for by the Appellant which can only be supplied if the Appellant submits fresh application for such information.

4. In view of the compliances submitted by the PIO of the Public authority on 21/12/06 and again on 02/02/07 there is no need to prolong this appeal any more. While disposing this appeal the State Commission record an observation that in case the Appellant is in need of any further information, he will be perfectly within his rights to submit fresh application as per the provisions of the RTI Act, 2005.
5. Thus the appeal is disposed off.

**Pronounced**

Given under the hand and seal of the State Commission, this the 18th day of April, 2007.



*Narayan Kumar*  
**SIC** 18.4.07

*Reshpa*