

**ORISSA INFORMATION COMMISSION
FORM OF DECISION SHEET**

Hon'ble State Chief Information Commissioner, Orissa

Second Appeal No. 12 /2007

Shri Pitambar Mallick,
Draughtsman,
Directorate of Mines, Orissa
Bhubaneswar.....Appellant

-Vrs-

- 1 Mining Engineer
cum - Public Information Officer,
Directorate of Mines, Orissa,
Bhubaneswar.
- 2 Joint Director (Mines)
cum - First Appellate Authority,
Directorate of Mines, Orissa,
Bhubaneswar.....Respondents

| SL No. | Date of decision | Decision with the signature of the State Commission | Action taken with date |
|--------|------------------|---|------------------------|
| 1 | <u>16/05/07</u> | 1 Appellant Shri Pitambar Mallick is absent. However, Shri Sudarshan Pradhan, Advocate enters appearance on his behalf by filing a Vakalatanama. Shri Sushanta Kumar Das, PIO-cum-Mining Engineer and Shri Ganesh Mohanty, Joint Director of Mines-cum-First Appellate Authority of Directorate of Mines, Orissa are present. Heard. Perused the case record. | |

- 2 The Appellant had, in form A application dated 08/11/06, requested the PIO, Directorate of Mines, Orissa, Bhubaneswar for **a copy of the DPC proceedings of 1993-94 for the post of Senior Draughtsman relating to Shri Sanjay Kumar Mallick.**
- 3 In response thereto the PIO intimated him vide letter no. 14134 dated 30/11/06 that the information cannot be supplied as it qualified for exemption under Section 8 (1) (j) of the Act. Not satisfied he preferred first appeal in form D on 08/12/06 before the First Appellate Authority. The latter confirmed the order of the PIO and intimated the Appellant vide letter no. 485 dated 10/01/07. It seems both of them were also of the view that as he was a Draughtsman working in the Directorate he cannot have access to this document.
- 4 Being thus aggrieved by the order of the First Appellate Authority he moved the State Commission in a Second Appeal on 19/01/07.
- 5 After hearing the parties, the State Commission were of the view that supply of a copy of the DPC proceedings is not exempted under any of the provisions of Act regardless of the fact that he is serving in the Directorate. Hence the case is remanded to the First Appellate Authority for proper adjudication and directed him to report compliance to the State Commission on or before 30/05/07.
- 6 Put up on 30/05/07 for perusing compliance report.


Hon'ble SCIC

16.5.07

STATE INFORMATION COMMISSION
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In obedience to the direction dated 16.05.2007 by the Hon'ble State Information Commission, the 1st Appellate Authority -cum-Joint Director Mines has submitted its compliance report vide letter No. 5110 dated 26.05.2007 along with copy receipt obtained from the appellant with regard to the documents supplied by the PIO of his Directorate before the State Commission.

The above are for kind information.

The case is closed. ^{12/6/07}
Court Master

SIC

| Sl. No. | Date of decision | Decision of State Information Commission | Action taken with date |
|---------|------------------|--|------------------------|
| 1 | 16/05/07 | 1. Appellant Shri Pitambar Mallick is absent. However, Shri Sudarshan Pradhan, Advocate enters appearance on his behalf by filing a Vakalatnama. Shri Sushanta Kumar Das, PIO-cum-Mining Engineer and Shri Ganesh Mohanty, Joint Director of Mines-cum-First Appellate Authority of Directorate of Mines, Deesa are present. Heard. Perused the case record. | |

Dev Kumar
12.6.7