

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

Present: Hon'ble Shri D.N. Padhi, SCIC
and
Prof. Radhamohan, SIC

Date 17th May, 2007

Second Appeal No. 144 / 2006



Shri Pradeep Routray,
At - Parabili,
PO - Kandarpur,
Cuttack District.....Appellant
-Vrs-

1 Public Information Officer
Cuttack Collectorate,
Cuttack

2 Additional District Magistrate
cum - First Appellate Authority,
Cuttack Collectorate,
Cuttack..... Respondents

Decision

- 1 Appellant Shri Pradeep Routray is absent. His absence, however, will not adversely affect the merits of his case in view of the provisions of the Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. PIO, Ms. Nibedita Biswal and First Appellate Authority-cum-Additional District Magistrate, Shri Hemanta Kumar Dash, Cuttack Collectorate are present. Heard. Perused the case record.
- 2 The Appellant had sought for information in form A application dated 13/07/06 from the PIO, Cuttack Collectorate regarding updating the

Original Service Book and payment of outstanding dues of Shri Prana Krishna Jena, Revenue Inspector of Kisannagar Tahsil.

3 The PIO intimated the Appellant vide letter no. 50 dated 10/08/06 that as per information of the Establishment Officer, Collectorate, Cuttack the Original Service Book was not available during the service period of Shri Prana Krushna Jena as R. I. in Jagatsinghpur Tahsil. As per orders passed by the Orissa Administrative Tribunal, Cuttack in OA 2882 (c) / 2000 correspondences were made with the Tahasildar, Jagatsinghpur who reconstructed the Service Book and submitted to the District Office, Cuttack vide his letter no. 2122 dated 25/08/04. After sanction of E. B., the Service Book was returned to the Tahasildar, Jagatsinghpur vide letter no. 4402 dated 07/10/04 for fixation of pay and for updation of Service Book from 1985 onwards. After receipt of the Service Book from the Tahasildars, Jagatsinghpur, the same was again sent to Tahasildars, Kujanga, Salipur and Marsaghai for regularization of the Service Book. Finally, after regularization of the same in the District Office, it was transmitted to the Tahasildar, Kissannagar vide letter no. 500 dated 04/02/05 for fixation of pay etc. It was rather an elaborate exercise.

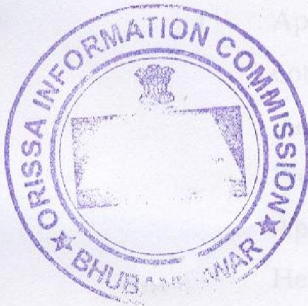
4 Not getting satisfactory information from the PIO, the Appellant had preferred on 30/08/06 an appeal with the First Appellate Authority, who upheld the decision of the PIO and intimated the Appellant vide letter no. 2519 dated 16/09/06. Being thus aggrieved by the order of the First Appellate Authority he preferred Second Appeal before the State Commission on 14/11/06.

5 The State Commission after hearing the parties are of the view that the information sought for by the Appellant relates to a third party and the PIO should have informed him but without following the due procedure of law, the PIO have supplied the information to the Appellant and, in any case, the service problem of Shri Prana Krishna Jena has been sorted out after long years. The delay is procedural in nature as several references had to be made to several authorities in different head quarters, as required under the relevant service rules. No liability can be fixed on any person.

6 Hence the appeal is disposed of and closed.

Pronounced

Given under the hand and seal of the State Commission, this 17th day of May, 2007.



Hon'ble SCIC

17-5-07

Narhaman
SIC