

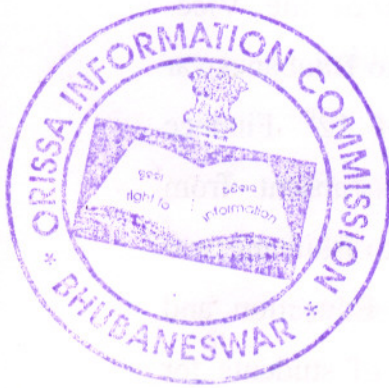
BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

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

Date: 28th May, 2008

Complaint Case No.324 / 2006



Pramoda Kumar Jena,
Faculty, Mass Communication,
Guru Jambheswar University of
Science and Technology,
Hisar-125001,
HaryanaComplainant

-Vrs-

Public Information Officer,
Berhampur University,
Berhampur-760007.....Opposite Party

Decision

1. Complainant Pramoda Kumar Jena is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Gyanananda Sahoo, ex-Registrar, Berhampur University, Ganjam (currently Secretary, State Transport Authority, Cuttack) is present. Heard him. Perused the case record.
2. The form A application dated 14/09/06 (received by PIO on 15/09/06) was registered in the State Commission as a complaint under Section 18 of the RTI Act, 2005 (Act for short) on 25/11/06. This case has been earlier heard on 22/02/07, 03/05/07, 24/08/07, 15/11/07, 15/02/08 and 09/05/08. The information had been despatched the PIO by speedpost vide letter no.10082 dated 06/11/06. It was posted to

today for hearing the aspect of delay purportedly caused by Gyanananda Sahoo, ex-Registrar, Berhampur University from 11/10/06 to 23/10/06. Gyanananda Sahoo submitted that on 11/10/06 he was at Bhubaneswar to attend the conference of the Vice-Chancellors, and again on 13/10/06 he had proceeded to Bhubaneswar to attend the meeting on utilisation on Grants of 12th Finance Commission. From 13/10/06 to 17/10/06 he was absent from headquarters on leave and on 18/10/06 he again went to Bhubaneswar to attend a meeting at the Directorate of Medical Education and Training, Orissa, Bhubaneswar concerning selection of students for admission to B.Sc. (Nursing). He further averred that except on 12/10/06 he was not available at headquarters to attend the office works on the aforesaid days. In this regard, he submitted corroboratory documents in terms of the approved tour programme, hiring of vehicles and supporting office orders.


3. After hearing him, the State Commission were of the opinion that the referred PIO could not satisfy why he did not attend to the RTI matter though present on 12/10/06. Even if the delay on other days is condoned in larger public interest, one day delay does get attributed to him. For the reasons aforesaid Gyanananda Sahoo, ex-Registrar Berhampur University (currently Secretary, State Transport Authority, Orissa, Cuttack) is held responsible for the delay of one day and accordingly, penalty of Rs.250/- is imposed on him. He may deposit the said penalty amount in the Treasury under Head "0070-other Administrative Services-60-other Services-118-Receipt Under Right to Information Act, 2005-0014-Collection of Fees and Fines-02178-Fees and Fines under Right to Information Act, 2005" within 30 days of the receipt of this order.

4. If he fails to deposit the same, it will be recovered in one instalment from his salary of June, 2008 payable in July, 2008 under Rule 9 (2) of the Orissa Right to Information Rules, 2005(Rules for short) by the Public Authority.
5. In case the above penalty amount is not recovered / recoverable due to some reason or the other, steps shall be taken by the concerned Public Authority for realization as per the provisions of Rule 13 ibid.
6. With this order the case is disposed of and closed. Copies of this decision be communicated to all concerned including the Commissioner, State Transport Authority, Orissa, Cuttack for information and necessary action. Inform the Complainant.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 28th day of May, 2008.




SCIC

28.05.08