

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Dated 01st March of 2007

**Complaint Case No. 329 of 2006 heard analogously with S.A.No.173 of
2006**

(Arising from out of the self same cause of action)



Sri Pradosh Kumar Nayak
AT - Kumbharapada,
Kusa Sahi,
Alamchandi Lane,
Near Chapala Garage,
Puri - 752002.....Complainant

-Vrs-

- 1 Public Information Officer,
Board of Secondary Education,
Cuttack - 753001
- 2 The Secretary
cum - 1st Appellate Authority,
Board of Secondary Education,
Cuttack - 753001.....Opposite parties

Decision

- 1 Complainant Shri Pradosh Kumar Nayak is absent. His father Shri Pramoda Kumar Nayak is present and files a letter of authorization dated 23/02/07 executed by the Complainant in his favour. Dr. Pratap Indra Dash, Establishment Officer - cum - PIO of the Board of Secondary

Education, Orissa, Cuttack is present. Heard both sides. The Second Appeal referred to above relates to self same cause of action which is the subject matter of this complaint case. The said appeal though posted to 10/04/07 was advanced to today with the consent of both the parties. Perused both the case records.

- 2 It is seen from the records that the Complainant had filed his application in form A on 12/06/06 before the PIO (OP) but he deposited the fees for the application on 17/06/06. For all purposes 17/06/06 would be considered as the starting date of action under the RTI Act, 2005 (Act for short).
- 3 The PIO (OP) drew reference to his letter No. 3692 dated 01/07/06 issued to the Complainant in form C. He submitted a copy which was taken on record.
- 4 As observed earlier the 'action' date for form A application is 17/06/06 and the intimation in form C has been sent by the PIO on 01/07/06 which is within the timeline under Section 7 (1) of the Act.
- 5 The PIO (OP) submits that they have no objection to provide copies of the answer sheets to the Complainant since, in the meantime, a decision has been taken by the Board to provide the same on payment of requisite fees as prescribed by them. Having heard the PIO, the State Commission hereby direct him to provide the information to the Complainant on or before 15/03/07 in accordance with the provisions of the Act and the

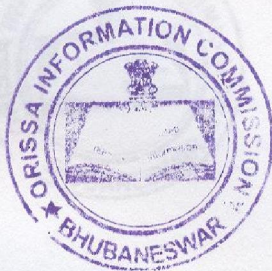


Rules framed thereunder and report compliance by 15/03/07 to the State Commission through the Registrar.

- 6 With the above direction for compliance, the complaint case and the second appeal filed by the Complainant are disposed of.

Pronounced

Given under the hand and seal of the State Commission, this the 01st day of March, 2007.



Shri Pradosh Kumar Nayak
AT - Kumbharapada,
Kusa Sahi,
Alamchandi Lane,
Near Chapala Garage,
Puri - 752002.....
-Vrs-
Public Information Officer,
Board of Secondary Education,
Cuttack - 753001

Hon'ble SCIC

1.3.07

Pradosh Kumar Nayak
SIC

- 2 The Secretary
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Rashmi
01/03/07