

BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

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

Date: 07th March, 2008

Complaint Case No. 50 / 2007



Bansidhar Pattanaik,
At-Agraharam Street,
PO-Chatrapur-761020,
Ganjam District.....Complainant

-Vrs-

Public Information Officer,
Office of the District Inspector of Schools,
Chatrapur,
Ganjam DistrictRespondents

Decision

1. Complainant Bansidhar Patnaik, Maheswar Jena, PIO and Siba Prasad Patnaik, Head Clerk (retd.)-cum-ex-PIO, office of the District Inspector of Schools, Chatrapur, Ganjam District are present. Heard both sides and perused the case record.
2. It reveals from the record that this case was last heard on 10/01/08 when the State Commission upon hearing Siba Prasad Patnaik , ex-PIO provided him the last opportunity to explain the delay at his level by submitting written showcause memorandum. The said ex-PIO submitted his written showcause today which is perused and taken to record.
3. Siba Prasad Patnaik submitted that the Complainant's request dated 17/11/06 for information had been attended to by him be providing

information vide letter No.4183 dated 31/12/06. As regards the delay of 14 days he pleaded that the information sought for related to an old file of the office which despite intensive search, could not be traced out during the stipulated maximum time of 30 days and, as soon as the file was traced, the information were provided to the Complainant, free of cost. Having heard him, the State Commission perused the form A application and were satisfied that the information sought for related to an old file of 1996.

4. In view of the aforesaid facts and circumstances of the case the State Commission wanted to hear the Complainant who stated that he had received all the information and he had no reason to believe that the ex-PIO, Siba Prasad Patnaik had any malafide intentions or ill will to suppress the information and to the best of his knowledge the ex-PIO had co-operated with him in providing information. Having heard the Complainant and the ex-PIO on the issue of the delay, the State Commission were satisfied that there exists reasonable cause for the unintentional delay, and hence Siba Prasad Patnaik, ex-PIO is exonerated from any likely penalty.
5. In view of the finding recorded as above, the case of the Complainant is disposed of and closed.

Pronounced

Given under the hand and seal of the State Commission, this 7th day of March, 2008.


Hon'ble SCIC

7.3.08