

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 21st February, 2008

Complaint Case No. 509 / 2007



Gnanendra Kumar Dash,
Plot No-1059,
Laxmisagar,
Bhubaneswar.....Complainant

-Vrs-

1. Public Information officer,
Orissa Computer Application Centre,
OCAC Building,
Plot No-N-1/7-D,
Acharya Vihar Square,
RRL Post Office,
Bhubaneswar-751013.
2. First Appellate Authority,
Orissa Computer Application Centre,
OCAC Building,
Plot No-N-1/7-D,
Acharya Vihar Square,
RRL Post Office,
Bhubaneswar-751013.....Opposite Parties

Decision

1. Complainant Gnanendra Kumar Dash is absent. His absence will not vitiate the merits of his case in view of the provisions of Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Dhiren Kumar Samal, Deputy General Manager-cum-PIO and Jyoti Prakash Das

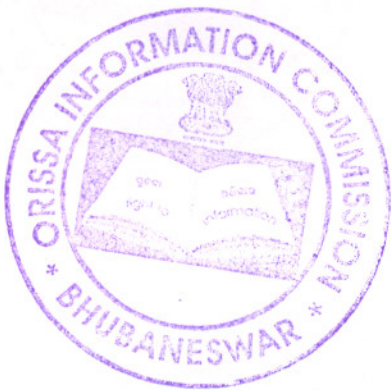
General Manager (Administration)-cum-First Appellate Authority, OCAC, Bhubaneswar are present. Heard the Opposite Parties and perused the case record.

2. The opposite parties filed a copy of the form A application dated 19/03/07 alongwith the forwarding letter no 875 dated 21/03/07 of the Information Technology Department, Government of Orissa and the reply sent to the Complainant by the Deputy System Manager in response to his request. It reveals from the said copies that the form A application of the Complainant was first received in the Information Technology Department on 19.03.2007. They transferred the application under Section 6 (3) of the RTI Act, 2005 to OCAC vide letter No.875 dated 21.03.07 and the transferee PIO received the same on 22.03.07.
3. For the purposes of the case though the date of application is 19/03/07, the computation of delay will be calculated from the date of receipt of the RTI application as provided in Section 7(1) of the RTI Act, 2005(Act for short). Computing a period of 30 days from 22.03.07 the outside time line for providing information is 21.04.07. The PIO in his letter No.1104 dated 18.04.07 had sent his reply to the Complainant which is found to be within the maximum time prescribed under Section 7 (1) of the Act.
4. The Complainant in his petition dated 30/04/07 had alleged that the transferee PIO had not provided information to him within 30 days. But it reveals from the records and attendant facts and circumstances of the case that there is no delay in this case. The First Appellate Authority had also discharged his duty by disposing of the appeal within the time prescribed

under Section 19(6) of the Act. In the absence of any lapse on the part of the either the PIO or the First Appellate Authority there is no need to prolong this case any more which is hereby dismissed. Inform the Complainant.

Pronounced

Given under the hand and seal of the State Commission, this 21st day of February, 2008.



Hon'ble SCIC

21.2.08