

BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

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

Date: 22nd February, 2008

Complaint Case No.513/2007

Kailash Chandra Kar
Vill-Chandradeipur,
PO-Salipur,
Cuttack District.....Complainant

-Vrs-

Public Information Officer,
Office of the Block Development Officer,
Salipur,
Cuttack District.....Opposite Party

Decision

1. Complainant Kailash Chandra Kar is absent. His daughter Arundhati Kar is present with Advocate P.K.Kanungo who has filed Vakalatanama for the Complainant. Chhabindranath Parida, Additional Block Development Officer-cum-PIO, Salipur Block is also present. Heard both sides and perused the case record.
2. It reveals from the record, submissions of both parties and the show cause memorandum of the PIO that form A application of the Complainant is dated 17/01/07 and received in the Public Authority on 18/01/07. The then APIO Krushna Prasad Das, in the absence of PIO of the Public Authority, intimated the Complainant vide his letter no. 321 dated 09/02/07 that the information sought for by the latter are likely to be available in the office of Chandradeipur Gram Panchayat. The APIO had also informed the Complainant in the said letter to file the request for information before the



Executive Officer, Chandradeipur Gram Panchayat. Of course in the absence of PIO, the APIO could have transferred the application to the above Panchayat for necessary action under intimation to the Complainant. He omitted to do so but at the same time acted without any delay in sending the intimation to the Complainant within the maximum period of 30 days from the date of the form A application.

3. Another pertinent fact emerged during the hearing of this case. Arundhati Kar submitted that she sought for the self same information from the PIO and as the latter did not respond she had filed a complaint listed as Complaint Case No. 453/2007 which is in the State Commission and posted to 19/08/08 for hearing.
4. From her above submissions it is clear that Complaint Case no. 453 /2007 had been filed prior to the filing of this case. Since both the case relate to the same fact in issue and the first case is under consideration as indicated above, there is no need to prolong this case encouraging multiplicity of litigations on the same subject matter. This was agreed to by Arundhati Kar.
5. For the reasons aforesaid, this Complaint case is dismissed. Announced in the open forum.

Pronounced

Given under the hand and seal of the State Commission, this 22nd day of February, 2008.


Hon'ble SCIC

22.2.08

TH