

**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**

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

**and**

**Prof. Radhamohan, SIC**

**Dated: 4th January, 2008**

**Complaint Case No. 64/2007**



Shri Karan Chandra Tudu,  
Section Officer,  
Board of Revenue (Special Relief),  
Cuttack District.....Complainant

**-Vrs-**

1. Public Information Officer,  
Board of Revenue,  
Orissa, Cuttack.
2. First Appellate Authority,  
cum-Financial Advisor,  
Board of Revenue,  
Orissa, Cuttack.....Opposite Parties

**Decision**

1. Complainant Shri Karan Chandra Tudu is present. Shri Sadhab Minz, Under Secretary-cum-PIO, and Shri Khageswar Sahoo, ex-PIO, Board of Revenue, Cuttack are present. Heard both parties and perused the case record.

2. The ex-PIO has averred in his showcause memorandum that the information was supplied to the Complainant on 24/02/07. The latter has also admitted in writing to have collected all information on that date although he had been informed on 07/02/07 by Shri Nirmal Chandra Sahoo, Section Officer that the material were ready.
3. This case was last heard in the State Commission on 12/09/07. Considering the delay caused in providing information, the ex-PIO had been directed to show cause why penalty shall not be imposed on him for the violation of Section 7 (1) of RTI Act, 2005.
4. The ex-PIO in his showcause has stated to have received form A application on 21/11/06. During scrutiny he entertained reasonable doubts regarding the disclosure or otherwise of the information which are related to the proceedings of DPC meeting and accordingly he sought for a clarification from the Government in Information and Public Relation Department vide letter no. 1820 dated 16/12/06. He received the reply from Information and Public Relation Department in letter 2103 dated 24/01/07. It is seen that the said letter was received in the Board of Revenue on 02/02/07 and diarised on 03/02/07. On 07/02/07 the Complainant was informed by the Section Officer to receive the information since in his form A application he has indicated to receive in person.
5. The above facts unmistakably point to the fact that the ex-PIO had acted with due diligence to provide information to the Complainant. Since all the information have been given to the Complainant and he

has admitted the same in writing that there is no need to prolong his case any more. The amount of 23/- received towards cost of providing information has also been refunded as directed by the State Commission in their order dated 12/09/07. The Complainant also admits to have received the said amount. Hence the case was disposed of and closed in presence of both the parties.

**Pronounced**

Given under the hand and seal of the State Commission, this 4<sup>th</sup> day of January, 2008 .



**Hon'ble SCIC**

4.1.08

**SIC**