

**BEFORE THE ORISSA INFORMATION COMMISSION**

**BHUBANESWAR**

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

**Date: 14<sup>th</sup> March, 2008**

**Second Appeal No. 254 / 2007**

Madhusmita Mishra,  
C/o-Dr. Purna Chandra Mishra,  
Chandraprava Sahi-2,  
Berhampur-760001  
Ganjam District.....Appellant.



-Vrs-

1. Public Information Officer,  
Berhampur University,  
Bhanja Vihar,  
Berhampur-760007,  
Ganjam District.
2. First Appellate Authority,  
Berhampur University,  
Bhanja Vihar,  
Berhampur-760007,  
Ganjam District.....Respondents

**Decision**

1. The Appellant Madhusmita Mishra is absent. Her absence is condoned as per Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Ashok Kumar Sahu, Deputy Registrar-cum-PIO, Berhampur University is present. The First Appellate Authority of the said University is absent despite notice sent to him by the State

Commission. Such dereliction if intentional is serious in nature, which if repeated in future, shall be sternly dealt with. Inform him. Heard the PIO and perused the case record.

2. As found from the record the Appellant had filed form A application dated 06/02/07 with the PIO seeking information on the (i) names of the Examiners, Tabulators, Members of the Board of Conducting examinations and Syndicate Examination Committee, (ii) copy of the proceedings of the said Committee. The PIO vide his letter No.14 dated 01.03.07 replied to the Appellant by giving details of the information sought for by her. Thus, there appears no delay. The PIO has supplied the information to the Appellant before expiry of the maximum period 30 days from the date of her form A application.
3. However, the State Commission after perusal of the copy of the information supplied by the PIO is surprised to find that the names of the examiners have been given to the Appellant.. The information supplied is not in conformity with the provisions of Section 8(1)(g) of the RTI Act,2005. It is enshrined in the said sub-section that the disclosure of information which would endanger the life or physical safety cannot be parted with by the PIO while responding to any request of Appellants / Complainants. Hence, the should not have taken given such information. The PIO is asked to be cautious in future while dealing with such sensitive information issues.
4. As regards the other information sought for, the PIO submitted that the resolution passed by the Examination Conducting Committee and

the Syndicate cannot be parted with as it would adversely effect the examination system rendering it ineffectual. Moreover, in the larger public interest also disclosure of such sensitive information was not made. This was accepted by the State Commission.

5. The State Commission being satisfied that there has been no delay in the case is of the opinion that the appeal filed by the Appellant deserves no consideration in the larger public interest which is hereby dismissed and closed. Inform the Appellant.

**Pronounced**

Given under the hand and seal of the State Commission, this 14th day of March, 2008.



  
**Hon'ble SCIC**

14.3.08