

**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**

Present: **Hon'ble Shri D.N. Padhi, SCIC**  
and  
**Prof. Radhamohan, SIC**

Dated 6<sup>th</sup> September of 2006

**Complaint Case No 109/2006**



Sri Bhagirath Pradhan,  
S/o Late Hare Krushna Pradhan  
At: Nahanjara  
Po/Via/PS: Singla  
Balasore District .....Complainant

**-Vrs-**

- 1 Public Information Officer  
Office of the Director Secondary Education, Orissa  
Bhubaneswar
- 2 Sri Debendra C. Mishra, IAS,  
Director - cum- 1<sup>st</sup> Appellate Authority  
Director Secondary Education, Orissa  
Bhubaneswar.....Opposite Parties

**Decision**

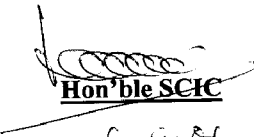
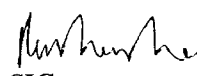
- 1 The Complainant is present. Sri Debendra C. Misra, IAS, Commissioner-cum-Director Secondary Education, Orissa is present. Heard both sides in detail.
- 2 Shorn of unnecessary details, the facts are that the Complainant in his application dated 21/03/06 sought for information regarding pendency of application under the Rehabilitation Assistance. Scheme from the PIO of the office of the Directorate of Secondary Education. When the Complainant he did not receive the information within the time stipulated, he preferred 1<sup>st</sup> Appeal before the Director - cum- 1<sup>st</sup> Appellate Authority on 27/04/06. The Complainant alleges not to have received any response from the 1<sup>st</sup> Appellate Authority.

- 3 The Commissioner-cum-Director, Secondary Education in his written showcause has mentioned that the list of candidates awaiting appointment the under Rehabilitation Assistance Scheme has been finalized on 01/08/06 only and sent to the State Government for consideration. After finalization of the list, steps will be taken to furnish the information to the Complainant.
- 4 Another pertinent fact came to the notice of State Commission that no PIO was designated in the Directorate of Secondary Education till 04/09/06. It is said to be due to non-receipt of necessary instruction from the Administrative Department. One officer has been designated in the said office as the PIO only on 04/09/06 after which the information has been provided to the Complainant on 05/09/06. No PIO was designated in the Public Authority till 04/09/06 is highly improper and violative of the provisions of Section 5 of the Right To Information Act, 2005 which should have adequately taken care of by the Public Authority within the stipulated time.
- 5 The Public Authority has intimated the State Commission to have provided the information to the Complainant on 05/09/06 and the Complainant also files memo today to have received all the information. Since the information needed has been provided to the Complainant there is no need for further continuation of this case which is hereby allowed and disposed of.

**Pronounced**

Given under the hand and seal of the State Commission, this the 6<sup>th</sup>  
day of September, 2006.



  
**Hon'ble SCIC**  
6-9-06  
  
SIC