

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 11th September, 2007

Complaint Case No. 44/2007

Shri Rama Chandra Das,
House No.-M-58,
Housing Board Colony,
Bhimatangi-751002
Bhubaneswar.....Complainant

-Vrs-

Public Information Officer,
Office of the Tahasildar,
Bhubaneswar.....Opposite Party

Decision

1. Complainant Sri Rama Chandra Das is present. Dr.Pramod Kumar Prusty, Additional Tahasildar-cum-PIO, Office of the Tahasildar, Bhubaneswar is also present. Heard. Perused the case record.
2. The Complainant had sought information in form A application dated 12.5.06 from the PIO, Revenue and Disaster Management Department, Government of Orissa in terms of specific reasons for non-acceptance of land rent relating to the plot under khata no. 282/22 of Ogalpada village, under Jatni Tahasil by the Revenue Inspector, Janla alongwith copy of orders in support of his action.
3. It is noticed from records that the PIO,Revenue and Disaster Management Department transferred the application of the Complainant u/S 6(3)of the RTI Act,2005 (Act for short) to the PIO, Office of the Tahasildar, Bhubaneswar vide letter No.18164 dated 15.5.06 with intimation to the Complainant.
4. The PIO, Office of the Tahasildar,Bhubaneswar mentioned that he received the form A application of the Complainant on 29.5.06. Even after thorough Search the case record was not found. He stated that it was subsequently learnt that the case record was with Sri Bijay Kumar Nayak, ex-Additional



Tahasildar-cum-PIO of Jatni Tahasil serving as ASO, Computer Cell, Board of Revenue, Orissa, Cuttack. It seems Sri Nayak had not handed over charge of the files to him and, therefore, he was ignorant of the existence of such a form A application. However, Sri Nayak was requested vide letter no.689 dated 20.8.07 to hand over the case record to enable supply of information. The PIO went on to state that it was discovered very late that the information sought related to R.I., Janla, who functioned under the jurisdiction of Jatni Tahasil. Therefore, the Tahasildar, Jatni was requested vide letter no.688 dated 20.8.07 for taking necessary action and then he directed the R.I., Janla vide letter no.8152 dated 23.8.07 to accept the rent from 2001-02 to 2007-08 on the said land under intimation to the Complainant.

5. After hearing the parties, the State Commission directed the Complainant to meet the R.I., Janla and pay the rent from 2001-02 to 2007-08 and inform the State Commission through the Registrar for retaining a record in the case file.
6. It is seen from the record that the Complainant had not sought for any information in his form A application dated 12.05.2006. All he wanted was a direction from the State Commission to the Revenue Inspector, Janla to receive the land rent. Even if the Complainant had nowhere mentioned the name of Revenue Inspector, the PIO, Office of the Tahasildar, Bhubaneswar attended to the request of the Complainant diligently. Hence he cannot be held responsible for delay by negligence.
7. With the aforesaid observations, the case is closed subject to receipt of Complainant's letter.

Pronounced

Given under the hand and seal of the State Commission, this 11th day of September, 2007.


Hon'ble SCIC

11.9.07