

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Dated: - 26th September, 2007

Second Appeal No 67/2006



Shri Kailash Chandra Acharya
VIM-393,
Sailashree Vihar,
Bhubaneswar-751021.....Appellant

-Vrs-

1. Public Information Officer
School and Mass Education Department,
Government of Orissa,
Secretariat, Bhubaneswar
2. First Appellate Authority,
School and Mass Education Department,
Government of Orissa,
Secretariat, Bhubaneswar Respondents

Decision

1. Appellant Shri Kailash Chandra Acharya is absent. The absence is condoned in view of the legal protection available to him under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Shri Umesh Chandra Mohanty, PIO –cum-Under Secretary to Govt., School and Mass Education Department is present. Heard and perused the case record.
2. The case was last heard on 07/08/07 when the State Commission had directed the PIO to examine the form A application dated 21/08/06 of

the Appellant and provide the information to him in clear terms and report compliance to the State Commission through the Registrar.

3. PIO mentioned that the Appellant is receiving revised pensionary benefits and he has not been deprived of the facilities granted in Finance Department O.M. No. 32724 dated 04/08/98 which was subsequently modified / revised in F.D. O.M. No. 215146 dated 12/05/99. The revised F.D. memorandum, he explained, did not impart any additional financial benefits. So there is no differential amount due to the Appellant. The PIO further mentioned that the State Commission had desired the presence of Smt. Jyotirmayee Rath, Deputy Secretary, School and Mass Education Department to appear and explain the delay. He mentioned on her behalf that she had not dealt with the RTI application of the Appellant at any stage. However, in view of the complicated nature of the pension sanction, there was delay in sanctioning the same, keeping the procedural requirements in view. This, however, did not relate to the RTI application per se. His version was accepted.
4. After hearing him the State Commission directed the PIO to clarify the situation to the Appellant. Shri Mohanty and Smt. Rath are exonerated from any penalty and as there has been no delay in the matter, the case is disposed of and closed.

Pronounced

Given under the hand and seal of the State Commission, this the 26th day of September 2007.



Dev Karmakar

[Signature]
Hon'ble SCIC

26. 9. 07

SIC