

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Dated: - 13th December, 2007

Second Appeal No 201/2006

Shri Raj Kishore Das
Kharakhia Baidyanath Lane,
Old Town,
Bhubaneswar-751002.....Appellant

-Vrs-

1. Public Information Officer
cum-Under Secretary to Government,
Housing and Urban Development Department,
Government of Orissa,
Bhubaneswar.
2. First Appellate Authority,
Housing and Urban Development Department,
Government of Orissa,
BhubaneswarRespondents

Decision

1. Appellant Shri Raj Kishore Das is absent. Respondent Shri Asim Kumar Mohanty, ex-PIO Housing and Urban Development Department presently working as Private Secretary to Deputy Chairman Planning Board and Shri Prasanta Kumar Nayak, Senior Assistant, Housing and Urban Development Department are present. The showcause memorandum dated 12/12/07 filed by the Respondent Shri Mohanty was perused. Heard the Respondent and perused the case record. Absence of the Appellant is condoned in terms of Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006.
2. The Appellant had alleged in his Appeal memo that the PIO Sri Mohanty had provided wrong and misleading information. This case was last heard on 01/11/07. On a perusal of the showcause memorandum of the Respondent

Sri Mohanty it is found that the form A application was filed by the Appellant with the PIO on 07/10/06 who supplied the information on 30/10/06 duly acknowledged by him in person. PIO's above assertion is amply supported by the copy of office order No.23571 dated 23/10/06 of the Housing and Urban Development Department taken on record. Thus there appears no delay for attracting the provisions of Section 20(1) of the RTI Act against the PIO-Respondent Shri Mohanty. It would have been appropriate for the Appellant to be present and press his allegation that wrong and misleading information were supplied to him.


3. For the reason aforesaid the Respondents are exonerated from the alleged charge of delay. The appeal is disposed of and closed since records indicate that correct and complete information have been provided to the Appellant within the time stipulated u/S 7(1) of the RTI Act, 2005. Inform the Appellant.

Pronounced

Given under the hand and seal of the State Commission, this the 13th day of December 2007.


Hon'ble SCIC

13.12.07



SIC