

**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**

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

**and**

**Shri Jagadananda, SIC**

**Date: 27<sup>th</sup> November, 2008**

**Complaint Case No.24/2007**

Mukunda Kumar Mohapatra,  
Plot No.-280.  
Sahid Nagar  
Bhubaneswar.....Complainant

**-Vrs-**

Public Information Officer,  
Department of Higher Education,  
Government of Orissa,  
Secretariat,  
Bhubaneswar.....Opposite Parties



**Decision**

1. Complainant Mukunda Kumar Mohapatra is present. Shekharsri Bera, Principal, incharge-cum-PIO and Bijay Kumar Swain, ex-Principal, Maharishi College of Natural Law, Bhubaneswar are also present. Heard. Perused the case record. This case has arisen out of complaint petition dated 03/02/07 and heard earlier by the State Commission on different dates i.e., 04/09/07,07/12/07,15/07/08 and 22/08/08.
2. As seen from the record, the Complainant had filed form A application on 27/11/06 which was received by the PIO, Higher Education Department, Government of Orissa, Secretariat, Bhubaneswar (Department for short) on 28/11/06. Since the information sought for related to Maharishi College of Natural Law, Bhubaneswar (College for short), the PIO transferred the application under Section 6 (3) of the RTI

Act, 2005 ( Act for short) vide his letter no.50755, dated 05/12/06 endorsing a copy to the Complainant vide memo no.50756 dated 05/12/06. The Principal of the College had intimated the PIO, Higher Education Department on 23/12/06 that identity of the Applicant was not satisfactory for which the application was liable to be rejected. On the advice of the PIO of the Department in his letter no.385 dated 05/01/07, the Principal of the College rejected the application of the Applicant and intimated him vide letter no.6019 dated 01/02/07 that on account of the above deficiency his application had been rejected in terms the Orissa RTI Rules, 2005.

3. Aggrieved by the above development, the Complainant had approached the State Commission on 03/02/07. However, in response to a complaint petition filed on 10/01/07 by the Applicant before the PIO, Higher Education Department, the PIO issued a direction to the Principal vide letter no.10047 dated 27/02/07 to furnish information since they found identification of the Applicant as satisfactory as he has filed a few other cases from which the identity could be established. In response to that, the Principal supplied information on 25/04/07.
4. The Complainant had prayed the State Commission in his application dated 22/08/08 that he is entitled to get compensation from the transferee Public Authority i.e. the College. The Complainant has not been able to cogently establish the fact that he has suffered any tangible loss or any detriment due to the delay in supply of the information by public authority. He only stated that he ran from pillar to post and has been harassed. This is not a valid ground for awarding compensation under the RTI Act,2005. Hence his claim on that score is rejected.


5. As the Complainant has received all the information and there is no delay, either at the level of the PIO, Higher Education Education Department or transferee PIO, the case is disposed of and closed.

**Pronounced in open proceedings.**

Given under the hand and seal of the State Commission, this 27<sup>th</sup> day of November, 2008.



  
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**SCIC**  
27.11.08

  
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**SIC** 27/11/08

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