

BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

Present: Shri Jagadananda, SIC

Date: 05th December, 2008

Complaint Case No. 106 / 2008



Biswajit Mohanty,
C/o-B. Mohanty & Co.,
Chartered Accountants,
Link Road,
Cuttack-753012.....Complainant

-Vrs-

Public Information Officer,
Forest and Environment Department,
Government of Orissa,
Secretariat,
BhubaneswarOpposite Party

Decision


1. Complainant Biswajit Mohanty is present. Gajendra Behera, Under Secretary-cum-PIO and Bidyadhar Behera, Section Officer-cum-APIO of Forest and Environment Department (Department of short) are also present. Heard. Perused the case record. This case has arisen out of complaint petition dated 16/01/08.
2. The Complainant submits that he has filed form A application before the PIO on 12/12/07 seeking information i.e. if the State Biodiversity Board has been constituted as per the provisions of the Biological Diversity Act, 2002 ? If yes please give the names of the members and date of notification etc". The PIO submits to have received the RTI

application on 14/12/07 and duly responded to the Complainant vide letter no.567 / FE dated 10/01/08.

3. It reveals from the submissions of both the parties that Biodiversity Board for the State of Orissa has not been constituted as yet. The Complainant stated that Biological Diversity Act is an important Legislation and the formation of the Biodiversity Board is a matter of mile stone so far as implementation of the provisions of the said Act. Hence in order to implement the same, a designated officer should have been there in the Public Authority. He therefore wanted to know the name of such officer. The PIO submits that since the Biodiversity Board has not been constituted there is no designated officer. The PIO clarified that there is no document in the form of any material available in the Public Authority which has already been intimated to the Complainant within the stipulated time.
4. After hearing from both the parties the State Commission is of the conclusion that in the absence of any information there is no need to prolong this case which is hereby disposed of and closed.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 05th day of December, 2008.


SIC