

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date: 12th November, 2008

Complaint Case No.1101 of 2007

Sachindra Nath Tripathy,
Office of the Executive Engineer,
Lift Irrigation Division,
Power House Chhak, Unit-8,
Bhubaneswar-751012.....Complainant

-Vrs-

1. Public Information Officer,
Department of Water Resources,
Government of Orissa,
Secretariat,
Bhubaneswar.
2. First Appellate Authority,
Department of Water Resources,
Government of Orissa,
Secretariat,
Bhubaneswar.....Opposite Parties




Decision

1. Complainant Sachindra Nath Tripathy is present. Harish Kumar Bisht, First Appellate Authority and Ramakant Nath, PIO, Water Resources Department are also present. Heard both the parties and perused the case record. This case arises out of complaint petition dated 26.07.07.
2. The Complainant submitted today that he had received all information but they are neither legible nor duly authenticated/attested. He further stated that there was delay of one day in providing the information.
3. From the chronological date chart filed by the PIO, Water Resources Department, Secretariat, Bhubaneswar it is found that in form A application dated 20.4.07, information sought related to Orissa Lift Irrigation Corporation Limited (OLIC for short). Therefore, the PIO had sought assistance of the officials of OLIC on 21.5.07 and obtained them the same day. It was on that very day that he intimated the Complainant in form B to deposit the cost of providing information.

4. Computing a period of 30 days from the date of application, the outside limit would be 20.5.07. It is verified from the calendar that 20.5.07 was a Sunday (holiday). Hence the circumstantial delay of one day cannot be held as malafide. It further reveals that the Complainant had deposited the cost for providing information on 24.5.07 and received the information the same day.
5. In view of the above discussed facts and circumstances case the State Commission is satisfied about the reasonable action and bonafides of the PIO and exonerate him from the circumstantial delay of one day. However, the opposite parties are directed to provide another set of legible attested photocopies of information to the Complainant, free of cost within 7 days. Subject to the above compliance by the PIO the case is disposed of and closed.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 12th day of November, 2008.


SCIC
12-11-08