

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Shri Jagadananda, SIC

Date: 12th November, 2008

Complaint Case No. 1371/2007

Bijoy Kumar Das,
At-Madhupur,
PO-Alanahat-751007,
Jagatsinghpur district.....Complainant



-Vrs-

1. Public Information Officer,
Board of Secondary Education, Orissa,
Cuttack.
2. First Appellate Authority,
Board of Secondary Education, Orissa,
Cuttack.....Opposite Parties

Decision

1. Complainant Bijoy Kumar Das is present. Krushna Prasad Pati, PIO, Nihar Ranjan Mohapatra, First Appellate Authority and Bighneswar Sarangi, Senior Assistant, all of the Board of Secondary Education, Orissa, Cuttack are also present. Heard. Perused the case record. This case has arisen out of complaint petition dated 21/11/07, and heard twice earlier on 14/03/08 and 20/08/08
2. The Complainant had sought copies of answer scripts of class 10 examination of his son Prazna Sworup Das (Roll no.31RA053) vide form A application dated 23/08/07 from the PIO, Board of

Secondary Education, Orissa, Cuttack. The PIO supplied part information vide letter no.13 dated 15/03/08. The State Commission on 20/08/08 had directed the PIO to provide the balance information to the Complainant within one month and report compliance to the State Commission through the Registrar. The First Appellate Authority stated that the Controller of Examinations, Board of Secondary Education, Orissa, Cuttack vide letter no.9276 dated 11/11/08 had intimated the PIO that there was heavy rainfall in the month of August, 2007 and the godown where the answer books were stored was inundated and remained waterlogged, and the first rungs of all the wooden racks were submerged. Therefore, the answer scripts i.e. SCP and SSG of the Complainant and other candidates as well were destroyed .

3. Further he stated that the all answer scripts relating to that examination were disposed of vide office order no.4758 dated 27/05/08 of the Secretary, Board of Secondary Education, Orissa, Cuttack as per the provision contained in Examination Committee Resolution no.VII dated 14/05/1957 as answer books/scripts are preserved for 8 months from the publication of concerned results.
4. After hearing the parties, the State Commission directed the First Appellate Authority to swear an affidavit regarding the destruction of answer scripts within 7 days and also directed him to host the policy decisions in their website under provisions of


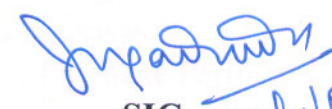
Rule 4 (1) (c) of the Right to Information Act, 2005 and report compliance to the State Commission through the Registrar.

5. In view of the above irretrieval situation, and subject to above compliance at paragraph 4 ,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

SIC 12/11/08

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