

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

Present: Shri Jagadananda, SIC

Date: 14th November, 2008

Complaint Case No. 541 / 2007 and 888/ 2007



Gouri Sankar Acharya,
Qrs. No-4/4, 7 & 8 AREA,
Rourkela-769004,
Sundargarh District.....Complainant

-Vrs-

1. Public Information Officer,
Office of the Principal,
Government Autonomous College Rourkela,
Sundargarh District.
2. First Appellate Authority,
Office of the Principal,
Government Autonomous College Rourkela,
Sundargarh District.....Opposite Parties

Decision

1. Complainant Gouri Sankar Acharya is absent. His absence is condoned under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Pravas Chandra Mishra, Senior Lecturer, Physics-cum-PIO and Baman Chandra Acharya, Reader in Botany-cum-First Appellate Authority, Government (Autonomous) College, Rourkela are present. Complaint Case No.541/07 has come up for hearing for the first time today but Complaint Case no.888/07 was earlier heard on 25.07.07. Since the Complainant is the

same and issue is identical in both the cases, they were tagged together. Heard and perused the case records.

2. The Complainant filed two form A application on 14.02.07 and on 19.04.07 seeking information regarding licence fees of the quarter in his occupation and pension. Form A application dated 14/02/07 was received in the Public Authority on 20/02/07 and available information furnished vide letter no.903 dated 17/03/07. Form A application dated 19/04/07 was also responded on 11/05/07 by sending intimation to the Complainant in form B to deposit cost of information and information was furnished to the Complainant on 17/05/07. Then the Complainant had preferred two appeals before the First Appellate Authority on the ground that incomplete information have been supplied to him.
3. Due to inaction by the First Appellate Authority the Complainant preferred two appeals before the State Commission on 19/04/07 and 23/06/07 but they were registered as the above two complaint cases. During last hearing of Complaint Case no. 888/2007 on 25/07/08 it was ascertained from the PIO, that the information sought for related to monthwise house license fee (HLF) and electricity dues of the quarters belonging SAIL, Rourkela, allotted to the Complainant for his occupation. The PIO had stated that the information which were available in the Public Authority and collected from the office of the Accountant General, Orissa were supplied. He further added that Complainant had retired from service and was in unauthorized occupation of the said quarters for which they had no further information regarding alleged excess calculation of the HLF and energy consumption charges which are directly served on him by the SAIL authorities.

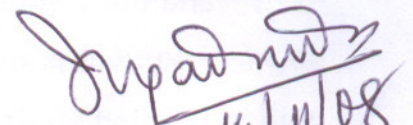
4. When Rourkela Steel Plant governed by SAIL, had provided accommodation to the staff of the Public Authority, some information are likely to be available in the College as well as in the office of Rourkela Steel Plant. Since the dispute is between the College and Rourkela Steel Plant, the State Commission earlier felt it just and expedient to appoint the First Appellate Authority of the College as the authorized officer as per their order dated 25/07/08 to convene a meeting with the steel plant authorities and the Complainant and supply the needed information to the latter, free of cost, within one month.
5. As per direction dated 25/07/08, the First Appellate Authority and the PIO submit that they have furnished the required information and have redressed all the grievances of the Complainant.
6. In this regard, in letter dated 20/10/08 addressed to the State Commission the Complainant has prayed for closure of both the Complaint Cases since he has received all information after the intervention of the State Commission. No statutory right has been given to the Complainant under the RTI Act, 2005 to withdraw any case in which the enquiry before the State Commission has been initiated.
7. However, perusal of the records and hearing the PIO and First Appellate Authority there appears no residual issue to be considered.
8. In view of the above discussed facts and, circumstances it is concluded that the PIO had has acted reasonably in dealing with the two form A



applications within the stipulated time. However, the First Appellate Authority is hereby cautioned to deal with RTI appeals filed before him within the time stipulated under Section 19 (b) of the RTI Act, 2005. Hence both the cases are disposed of and closed. Inform the Complainant.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 14th day of November, 2008.


14/11/08
SIC

