

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Shri Jagadananda, SIC

Date: 2nd December, 2008

Complaint Case No.707/2007

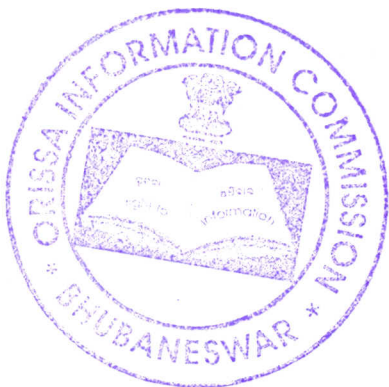
Satyanarayan Behera,
At/Po-Sakhigopal,
Puri district.....Complainant

-Vrs-

Public Information Officer,
Office of the Executive Engineer,
Puri Irrigation Division,
Puri.district.....Opposite Party

Decision


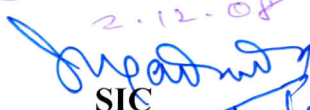
1. Both parties are absent on repeated calls. The absence of the Complainant Satyanarayan Behera cannot be condoned under rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules,2006 in view of the previous order dated 24/06/08 wherein his presence was specifically called for to come to a finality in this matter. Perused the case record. This case has arisen out of complaint petition dated 06/06/07.
2. The case has last heard on 24/06/08 in presence of Sibaprasad Mishra, PIO-cum-Assistant Engineer(Estimator), office of the Executive Engineer, Puri Irrigation Division, Puri.
3. It reveals from the record that the Complainant had filed form A application dated 16/04/07 with the PIO, office of the Executive Engineer, Puri Irrigation Division, Puri seeking a list of works done in Sakhigopal Irrigation Sub-Division with the description of the works, names of the contractors, amount of agreement and the payment made sectionwise to the contractors respectively for the period from 01/04/06 to 31/03/07.



4. The PIO had averred that the Complainant was intimated vide letter no.2491 dated 08/05/07 to deposit Rs.3920/-towards cost of providing information etc, which was within the maximum stipulated time of 30 days under the RTI Act, 2005. Instead of depositing the cost, the latter preferred complaint before the State Commission on 06/06/07. After receiving the notice from the State Commission, the PIO again intimated the Complainant vide letter no.3820 dated 12/07/07 to deposit Rs.70/- (excluding the labour charge) towards cost of providing information. Even then the Complainant did not make any deposit.
5. After hearing the PIO on 24/06/08, the State Commission directed him to provide the information to the Commission, free of cost to the Complainant through registered post with A.D. within 7 days and report compliance to the State Commission and also felt it expedient to call for the presence of the Complainant to take part in the hearing of the case. Despite notice, the Complainant is absent. The PIO has intimated vide letter no.3349 dated 26/06/08 (available on record) that in obedience to the orders of the State Commission he had supplied the information to the Complainant, free of cost, vide letter no.3348 dated 26/06/08 through registered post with A.D.
6. In view of the above it is inferred that the Complainant has no grievance. Hence the case is disposed of and closed with no orders on penalty. Inform the Complainant.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 2nd day of December, 2008.


SCIC
2.12.08

SIC
2/12/08

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