

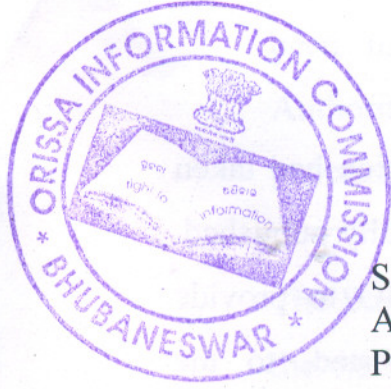
BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

Present: Shri Jagadananda, SIC

Date: 04th December, 2008

Complaint Case No.847 / 2007



Sadananda Sahu,
At-Birakishorepur,
PO-Athgarh-754029,
Cuttack District.....Complainant

-Vrs-

Public Information Officer,
office of the Board of Secondary Education,
At-Bajarkabati Road,
Cuttack.....Opposite Party

Decision

1. Complainant Sadananda Sahu is present. Krushna Prasad Pati, Establishment Officer-cum-PIO, Nihar Ranjan Mohapatra, Secretary-cum-First Appellate Authority and Bighneswar Sarangi, Senior Assistant RTI Cell, Man Mohan Swain and Ardhendu Sekhar Bhol, ex-Controllers of Examinations, Board of Secondary Education, Orissa, Cuttack are also present. Heard and perused the case record. This case has arisen out of complaint petition dated 16/10/07 received by post in the State Commission on 22/10/07.
2. This case was earlier heard on 4 different dates, the last date being 11.09.2008. It reveals from the record that the Complainant had sought for copies of evaluated answer sheets of 2nd language English and Mathematics-Algebra of Class-X examination of his daughter Saumya Priryadarshini. It is found that the form A application dated 06/06/07 was received by the PIO on 11/06/07. He sought for assistance of the

Controller of Examinations on 05/07/07 to supply the information. He also sent a reminder vide letter no. 7397 dated 20/12/07 but received no response from the Controller of Examinations.

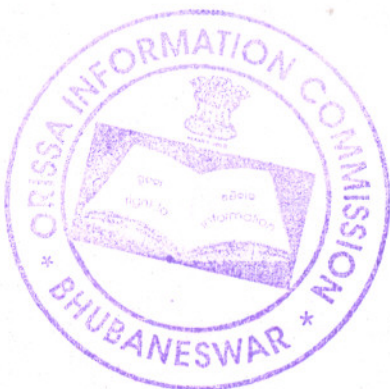
3. Upon hearing the parties on 22/04/08, the State Commission had taken cognizance of the fact that all results thereof have been finally published. Accordingly, the State Commission had directed the PIO to provide photocopies of the evaluated answer scripts as requested, to the Complainant, free of cost, within 10 days by registered post after blanking out/blocking the name(s) of Chief Examiner(s)/Examiner(s) and code roll number, if any, and report compliance to the State Commission through the Registrar.
4. In obedience to the said orders of the State Commission, the PIO submitted that copies of MTA (Algebra) had been supplied to the Complainant vide letter no.3211 dated 28/04/08 but copies of Second Language English could not be supplied as could not be traced as reported by the Controller of Examinations, Board of Secondary Education, Orissa vide letter no.4698 dated 26/04/08.
5. Today Bigheswar Sarangi submits that although photo copies of all the evaluated answer scripts have been supplied, the answer paper of Second Language English could not be supplied since it could not be traced in the Public Authority. As per the submission of the PIO the Controller of Examinations has been reminded by him but in the absence of any response from him the copies of the above answer scripts could not be made available to the Complainant.
6. Today the PIO and First Appellate Authority submit that the above information could not be furnished as they have been damaged due to

heavy rain in the year 2007. The said matter was also considered by the Examination Committee and that the information have been damaged has been intimated to the Complainant. The PIO and First Appellate Authority submit that as the papers were damaged alongwith other papers they could not provide the said information to the Complainant.

7. The State Commission while taking cognizance of the above decision of the examination committee accept the ground reality as reported by the opposite parties. The Controller of Examinations, the Board of Secondary Education is cautioned to be careful in future while dealing with requests under the RTI Act, 2005. The State Commission, however, directs the PIO and First Appellate Authority to take steps to keep the records in appropriate place to prevent recurrence of damage to examination papers which are very important and sensitive for further career perspective of the students. With the above observation the case is disposed of and closed.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 4th day of December, 2008.



[Handwritten signature]
4/12/08
SIC