

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

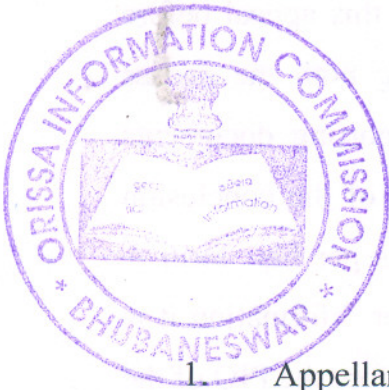
Present: Shri Jagadananda, SIC

Date: 11th December, 2008

Second Appeal No. 54/2008

Biswajit Mohanty, FCA,
C/o-B.Mohanty & Co., Chartered Accountants,
Link Road, Cuttack-753012, Orissa,Appellant
-Vrs-

1. Public Information Officer,
Office of the Principal Chief Conservator of Forests,
Aranya Bhavan, Chandrasekharpur,
Bhubaneswar-751 023
2. First Appellate Authority,
Office of the Principal Chief Conservator of
Forests,
Aranya Bhavan, Chandrasekharpur,
Bhubaneswar-751 023..... Respondents.



Decision

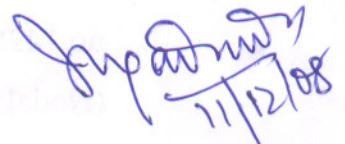
1. Appellant Biswajit Mohanty, Bhanu Pratap Singh, First Appellate Authority, C.C.F. (Social Forestry and Afforestation) and M. Gourinath, C.F.(SF)-cum-PIO, office of the PCCF, Orissa, Bhubaneswar are present. Heard both parties. Perused the case record.
2. Appellant in his form A application dated 31/08/07 had sought for information from the PIO, Forest and Environment Department. Government of Orissa, Bhubaneswar regarding forest clearance for Rengali Irrigation Project. In response thereto, the said PIO vide letter no.14282/F & E dated 13/09/07 sought for the assistance of CCF (Nodal) who received the same on 14/09/07. The PIO, office of the CCF, Orissa sent reply to Appellant on 28/09/07 by endorsing a copy thereof to PIO, F & E Department. As the information were not received on time, the PIO of the Department sent reminder to CCF (Nodal) on 22/09/07. The PIO, office of the PCCF, Orissa had sent

information directly to the Complainant on 28/09/07 with a copy to D. Mishra, PIO , Forest and Environment Department, Government of Orissa.

3. The Appellant had impugned the decision of the PIO by filing appeal before the First Appellate Authority who summoned the PIO and the Appellant and heard the case on 01/12/07. The First Appellate Authority upheld the finding of the PIO.
4. Then the Appellant challenged the legality and propriety of the decision of the First Appellate Authority by filing this appeal before the State Commission on 06/02/08. Upon hearing both the parties today and going through the record and the supporting documents filed by both the parties, the State Commission is of the conclusion that the Appellant had received all information as per his form A application. In case the Appellant needs any further information it is open to him to submit a fresh form A application before the PIO of the concerned Public Authority. Thus there is no need to prolong this case any more when it is clear that the Appellant has received information and there is no delay. Accordingly the appeal is disposed of and closed. Inform all concerned.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 11th day of December, 2008.


11/12/08
SIC