

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

**Present:- Hon'ble Shri D.N. Padhi, SCIC
and
Prof. Radhamohan, SIC**

Dated: - 25th September, 2007

Complaint Case No. 244/2006



Shri Bikram Sen Dhal,
At-Kotar,
PO-Gurudijhatia-754028,
Cuttack District.....Complainant

-Vrs-

Public Information Officer
Office of the Executive Engineer,
Minor Irrigation Division,
Cuttack DistrictOpposite Party

Decision

1. Complainant Shri Bikram Sen Dhal is absent. His absence is condonable under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Shri Aurobindo Aruk, Assistant Engineer (Estimator)-cum-PIO, Minor Irrigation Division, Cuttack is present. Heard. Perused the case record.
2. The case was earlier heard on several dates viz. 12.12.2006, 07.03.2007, 15.05.2007 and 11.07.2007. It was on 15.05.2007 the State Commission had directed the PIO to refund Rs.65/- to the Complainant which had been collected from him as the information was supplied to him after the deadline of 30 days

and to show cause why action, if any, shall not be taken against him for the delay in violation of the legal mandate.

3. The PIO mentioned that in obedience to the orders of the State Commission he refunded Rs.65/- to the Complainant. As regards delay of 4 days he mentioned that form A application dated 14.07.2006 of the Complainant was received by him on 15.07.2006. He had intimated the Complainant vide letter No. 2206 dated 14.08.2006 to deposit Rs.65/-, which is within the time limit prescribed in the RTI Act, 2005. He produced documentary evidence to corroborate his stand, which were taken to record. So no delay can be ascribed to him.
4. In view of the aforesaid findings, there are no orders as to any penalty and the case is disposed of and closed.

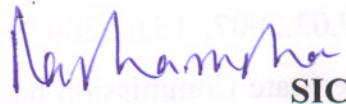
Pronounced

Given under the hand and seal of the State Commission, this the 25th day of September 2007.



Hon'ble SCIC

25-9-07


SIC