

BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR

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

Date: 5th October 2007

Complaint Case No. 98/2007

Shri Rama Krushna Mishra,  
A/L-53, VSS Nagar,  
Bhubaneswar-751007.....Complainant

-Vrs-

Public Information Officer,  
cum-Deputy Registrar,  
Orissa Administrative Tribunal,  
Bhubaneswar.....Opposite Party



Decision

1. Smt D.Debi, Deputy Registrar-cum-PIO-OP Orissa Administrative Tribunal, Central Bench, Bhubaneswar is present. This case is posted to today for filing of a fresh showcause memorandum by the PIO-OP which she complied with. Perused the showcause. The same was taken to record. Heard the OP.
2. The PIO in her showcause has mentioned that cases filed under the Administrative Tribunals Act, 1985 are adjudicated/tried by the Hon'ble Benches strictly in accordance with the provisions of the Administrative Tribunal Act, 1985 and Rules framed thereunder. Rules 21 and 22 of O.A.T. (Procedure) Rules, 1986 provide opportunity to the parties to inspect and get copies of orders by depositing the required court fee in the office of the Tribunal.
3. The OP further submitted that the Tribunal has been empowered under Section 17 of the Administrative Tribunal Act, 1985 to punish the contemnor for contempt. The PIO-OP, therefore, submitted that providing information

relating to judicial records under RTI Act, 2005 may amount to contempt of the Tribunal and the PIO may be liable to punishment under Section 17 of the Administrative Tribunal Act, 1985.

4. The words “-.- or the disclosure of which may constitute contempt -.-” employed in Section 8(1)(b) of the RTI Act, 2005 suggest that the PIO has to apply judicial mind to conclude with reasons that disclosure of information may constitute contempt. The PIO claims immunity under the said provision. The State Commission upon hearing the PIO are of the considered view that the Complainant in the case instead of taking recourse to the appropriate procedure to get the required information has applied in the RTI form which can not be encouraged. No lapses can be legally attributed to the PIO-OP since she has attended to the RTI application of the Complainant with due diligence which have been disposed of within the time stipulated u/S 7 (1) of the RTI Act, 2005.


Before parting with the case we propose to record that the Complainant if he so desires may approach the Tribunal to get the information strictly in accordance with the codal norms followed by the Tribunal. With this observation the case is disposed of and closed.

**Pronounced**

Given under the hand and seal of the State Commission, this the 5th day of October 2007.

  
**Hon'ble SCIC**

8.10.07



SIC