

**ODISHA INFORMATION COMMISSION
BHUBANESWAR**

**Present: Shri Tarun Kanti Mishra,
State Chief Information Commissioner**

Dated: 07th May, 2013

Second Appeal No.444 / 2013

Tarini Charan Padhy,
S/o Late Brundaban Padhy,
College Road, Nabarangpur-764 059Appellant

-Vrs-

1. Public Information Officer,
Law Department, Odisha, Bhubaneswar.
2. First Appellate Authority,
Law Department, Odisha, Bhubaneswar.....Respondents

Decision

1. Neither appellant Tarini Charan Padhy nor the PIO, Law Department, Odisha, Bhubaneswar is present. While the appellant has submitted in his petition dated 18.04.2013 that he would be unable to appear today on account of his constraints, the PIO has sought adjournment on account of his daughter's wedding. The Commission perused the form-A application and other relevant records available in the case records. There is a limited issue in this case and the Commission thought it proper to consider the same in absence of both the parties.


2. Recently, Government of Odisha has enacted 'The Odisha Right to Public Services Act, 2012' a law governing the citizens' rights to public services. Appellant Tarini Charan Padhy filed form-A application dated 16.09.2012 with the PIO, Law Department seeking a copy of the Odisha Right to Public Services Act, 2012.

3. On receiving this application, the PIO in his letter No.11912 dated 01.11.2012 intimated the appellant that requested information is a published material available in the public domain. The appellant was not satisfied with such reply of the PIO. He approached the First Appellate Authority with a form-D application dated 22.11.2012 and subsequently moved the Commission with a form-E application dated 16.02.2013. The substance of his complaint is that the PIO in his aforesaid reply did not indicate as to where such public material would be available nor has he indicated how to access such information in the official website of the Government.

4. In this regard, the Commission observed that the State Government has put in place an exclusive website at **ortpsa.in** posting fairly comprehensive information regarding the Act. In this website, apart from the Odia translation of the Act, FAQs and some other aids to the citizens have also been posted. The Act is also available in the market with a reasonable price. Since the requested information is available in the public domain, the appellant is advised to access the same instead of approaching the public authority. With these observations and advice, the case is closed.

Pronounced in open proceedings

Given under the hand and seal of the Commission this day, the 7th
May, 2013.


State Chief Information Commissioner
07.05.2013
7.5.13