

ORISSA INFORMATION COMMISSION
BHUBANESWAR

Present: Shri Tarun Kanti Mishra,
State Chief Information Commissioner

Date:- 09th February, 2011

Complaint Case No. 867 / 2008

Muralidhar Acharya,
At-Bhatapada,
PO-Devidol-754109,
Jagatsinghpur district..... Complainant

-Vrs-

Public Information Officer,
Balikuda Tahasil,
Jagatsinghpur district.....Opposite Party

Decision

1. Complainant Muralidhar Acharya is present. Banshidhar Barik, PIO and Head Clerk, Naugaon Tehsil, Jagatsinghpur district is also present. Heard and perused records.
2. Complainant Muralidhar Acharya is a retired defence personnel. He wanted to know about the demarcation of his land for which he made applications to the revenue authorities and, accordingly, three demarcation cases viz. Case No.219/2007, 220/2007 and 221/2007 were instituted in Balikuda Tehsil. Subsequently, Balikuda Tehsil was split into two Tehsils and a new Tehsil viz. Naugaon Tehsil was created. Such bifurcation was notified in 2008. The complainant wanted to ascertain the position of his demarcation cases. But under wrong impressions, instead of approaching the Tehsil authorities, he approached the PIO in the office of BDO, Balikuda. Subsequently, he approached the Balikuda Tehsil office and Naugaon Tehsil office to find out as to where he should file his form-A application. Since

the records of the newly created Naugaon Tehsil had not been transferred by the Balikuda Tehsil, there was apparently a big confusion. Finally, the complainant filed his application with the PIO in the Collectorate, Jagatsinghpur.

3. In course of hearing today before the State Commission, the complainant stated that the demarcation cases about which he sought information under the RTI Act have been disposed of. He stated that there are some discrepancies about the area vis-à-vis the boundary. Since these records are prepared on the basis of consolidation and operations, he was advised to approach the Joint Commissioner of Consolidation for necessary redressal of his grievances.
4. No doubt, there has been a long delay in the supply of information. No Public Information Officer can however be held responsible for such delay. The State Commission is given to understand that the office of the newly created Naugaon Tehsil is yet to receive all the records of its jurisdiction from the office of Balikuda Tehsil. This is an unfortunate situation. Since the new Tehsil has been created three years back, it is expected that the records should be in the custody of Tehsildar, Naugaon.
5. The State Commission hereby directs the Chief Secretary under Section 19(8)(a)(iv) of RTI Act, 2005 to ensure that all the records pertaining to the jurisdiction of Naugaon Tehsil should be transferred from Balikuda Tehsil office to Naugaon Tehsil office within 60 (sixty) days. The compliance report in this regard should be submitted by Chief Secretary or Secretary, Revenue and Disaster Management Department soon thereafter to the Registrar, Orissa Information Commission. With this direction, the case is closed.

Pronounced in open proceedings

Given under the hand and seal of the State Commission this day, the 09th
February, 2011

State Chief Information Commissioner.
09/02/2011