

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Date: 26th February, 2009

Complaint Case No. 337/2007

Nihar Ranjan Mohanty,
At-Kanheipur,
CRRI,
Cuttack-753006,
Cuttack District Complainant

-Vrs-

Public Information Officer,
Office of the Regional Director of Education,
Bhubaneswar-751022 Opposite Party



Decision


1. Complainant Nihar Ranjan Mohanty is present. Krushna Prasad Padhy, Reader in Political Science, J.K.B.K. College, Cuttack is present. Heard and perused the case record. The case arises out of complaint petition dated 21/03/07.
2. The case was earlier heard on 11/12/07, 29/07/08 and 11/11/08. During the hearing on 11/11/08, the State Commission had directed the PIO to refund Rs. 24/- within 24 hours under intimation to the State Commission as it was collected beyond the stipulated timeline of 30 days.
3. As per the direction of the State Commission, the PIO stated today to have refunded Rs. 24/- to the Complainant, which the latter also admitted to have received. As the application dated 29/01/07 of the Complainant was received on 15/02/07 and initial letter issued on 23/03/07, the PIO was directed on that day to explain the delay of 5 days. The PIO submitted today that the

application of the Complainant could not be attended on time as during the said month of February, office was shifted from one place to another causing dislocation of records.

4. The PIO, Regional Directorate of Education, Bhubaneswar in his letter no. 3147 dated 25/02/09 explained the case in detail with reference to the chronological date chart. The same was received and taken to record. The PIO informed that the delay was neither deliberate nor was there any malafide intention either to withhold the information or refuse information to the Complainant. There was a reasonable cause for the small delay in informing the Complainant about receipt of the information sought for by him due to the shifting of the official premises and the consequent disruption of official work for some days. The Complainant mentioned that he had already received information sought by him and had no grievance in the aforesaid matter.
5. The State Commission upon hearing the above facts and on perusal of the submissions were satisfied with the bonafide actions taken by the PIO in good faith. Since the Complainant has already received his information as sought for by him, free of cost, and received a refund of Rs. 24/-, the PIO is exonerated with no orders of penalty. So the case is disposed of and closed.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 26th day of February, 2009.


SCIC 26.2.09


SIC 26/2/09