

**BEFORE THE ORISSA INFORMATION COMMISSION**

**BHUBANESWAR**

**Present: Hon'ble Shri D.N.Padhi, SCIC**

**Date: 20th January,2009**

**Complaint Case No.702/2007**



Susanta Kumar Sahu,  
Advocate  
At/PO- Lanjipalli,  
Berhampur-8,  
Ganjam district.....Complainant

-Vrs-

Public Information Officer,  
Ganjam Collectorate, Chatrapur,  
Ganjam district.....Opposite Party

**Decision**


1. Complainant Susanta Kumar Sahu is absent on repeated calls. The same is condoned under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Basanta Kumar Mallick, Deputy Collector and Banambar Nayak, Dealing Assistant, Ganjam Collectorate, Chatrapur are present. Heard and perused the case record. This matter arises out of petition dated 05.06.2007.
2. The case was earlier taken up for hearing on 15.05.2008 and 12.09.2008. Both the parties were absent on the said dates. It reveals from the record that the Complainant in form A application dated 27.10.2006, had sought certain information relating to departmental proceedings drawn up against him during 1997-98. The said form A application was sent to the District Panchayat Officer, (DPO for short) Ganjam Collectorate, Chatrapur on 28.10.2006. The said DPO supplied the information to the PIO on 3.11.2006 and on deposit of Rs.15/- on 09.01.2007 as the cost of information, the Complainant was provided in person with the information the same day.

However, the latter in his petition (in form E) dated 05.06.2007 had stated that the information supplied were incomplete, incorrect and misleading and, therefore, prayed for action against the erring PIO/First Appellate Authority and had sought compensation of Rs.10,000/-

3. Unfortunately, on none of the dates of hearing the Complainant appeared or pressed the compensation claim.
4. During the hearing today, the PIO filed a letter written by the Complainant Susanta Kumar Sahu wherein he has intimated the State Commission that his client Prafulla Patra, ex-VLW for whom he apparently was working had expired in the meantime and hence he did not want to proceed further in this case and prayed the State Commission to drop the case. There is no provision in the RTI Act,2005 and the Orissa Rules framed thereunder to entertain such applications by a Complainant. Hence the same is held to be untenable in the eyes of law. However, the State Commission, on perusal of the records, find that no substantive purpose will be served by continuing the hearing of this case since the Complainant has received all information relating to Prafulla Patra, ex-VLW on 09.01.2007. For the reasons aforesaid the case is disposed of and closed. As there was no delay on the part of the PIO/referred PIO, no orders on penalty. Inform the Complainant.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 20th day of January,2009

  
**SCIC**  
20.1.09