

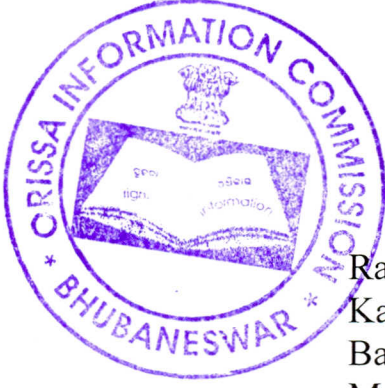
BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

Present: Shri Jagadananda, SIC

Date: 14th January, 2009

Complaint Case No. 747 / 2007



Raj Kumar Agarwalla,
Kali Market,
Baripada,
Mayurbhanj District.....Complainant

-Vrs-

1. Public Information Officer,
office of the Chief Medical Officer,
Baripada
Mayurbhanj District.
2. First Appellate Authority.
office of the Chief Medical Officer,
Baripada,
Mayurbhanj DistrictOpposite Parties

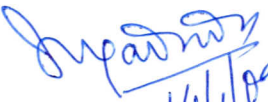
Decision

1. Complainant Raj Kumar Agrawalla is absent. His absence is condoned under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Rajendra Narayan Sahu, Senior Clerk, office of the Chief District Medical Officer, Baripada, Mayurbhanj district is present. Heard. Perused the case record.
2. This case was earlier heard twice on 01/07/08 and 23/09/08. The Complainant filed form A application on 01/02/07 seeking 16 information relating the register maintained in the Public Authority to preserve the news paper cuttings wherein news have been published either for or against the office of the CDMO.

3. It was submitted by the Complainant on 01/07/08 that the information have been supplied to him after expiring of 30 days but the PIO has taken a false plea that the information were sent to him vide letter no 45 dated 02/03/07. Upon hearing the above from the Complainant the State Commission directed the PIO to produce relevant records such as stamp register and dispatch register to corroborate his stand regarding supply of information. The said registers were produced by the PIO during hearing on 23.09.08 and after perusal found to be in order. The Complainant insisted that he had received information only on 19.03.07. It reveals from the record a letter bearing no.2104 dated 14.03.07 has been issued to the Complainant in an Appeal case filed before the First Appellate Authority i.e. CDMO, Baripada, Mayurbhanj district. The above letter was sent under certificate of posting and it is presumed that some amount of confusion had crept in for which the Complainant has been insisting on the point of delay in supply of information by the PIO. It appears to be case of mere postal delay.
4. Hence the State Commission is of the considered view that the information has been duly sent from the Public Authority within the time specified under Section 7(1) of the RTI Act, 2005. The delay caused in delivery of the letter by the postal authority can not be attributable to either the PIO or the Public Authority. Hence there appears no reason to prolong this case any more.
5. The case is accordingly disposed of and closed. Inform all concerned.

Pronounced in open proceedings.

Given under the hand and seal of the State Commission, this 14th day of January, 2009.


14/1/09
SIC