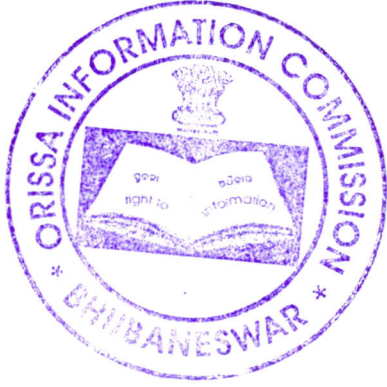


BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Date: 20th February, 2009

Complaint Case No. 1453/2007



Santosh Kumar Behera,
At/PO-Sankuloi-762020,
Via-Harabhanga,
Boudh district Complainant

-Vrs-

1. Public Information Officer,
Harabhanga Block,
At/PO-Harabhanga,
Boudh district
2. First Appellate Authority
Harabhanga Block,
At/PO-Harabhanga,
Boudh district Opposite Parties

Decision


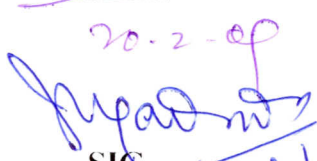
1. Complainant Santosh Kumar Behera is absent. The same is condoned under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Bankim Chandra Mallick, PIO-cum- Gram Panchayat Extension Officer, Harabhanga Block, Boudh district is present. Heard. Perused the case record. This case arises out of complaint petition dated 20/09/07 and heard by the State Commission on 15/05/08, 25/06/08 and 22/07/08.
2. The Complainant had sought information relating to the distribution of Indira Awas buildings among the inhabitants of Sankuloi Gram Panchayat. He had indicated in the form A application dated 29/12/06 to receive the information in person. It had been alleged in his complaint petition dated 26/09/07 that as he did not receive complete information,

he approached the BDO-cum- First Appellate Authority. The latter heard the case on three different dates but gave no decision.

3. On 15/06/08, the Complainant had mentioned that he had not received complete information. Bankim Chandra Mallick, ex-PIO submitted that the Complainant had filed form A application on 29/12/06. In response thereto the Complainant was intimated vide letter no.498 dated 28/02/07 to come and receive the information. He came but refused to accept them. The Complainant alleged today that as the information seemed incomplete he refused to receive them. The ex-PIO further submitted that from 26/12/06 to 21/03/07 he was busy with the Gram Panchayat elections, and therefore, he could not attend to the RTI application. However, complete information has already supplied to the Complainant on 02/01/08 which was confirmed by him on 25/06/08.
4. As regards the delay, the PIO stated that, as he had been detailed for Gram Panchayat elections from 26/12/06 to 21/03/07, the delay occurred. Necessary and relevant documents were filed by him to corroborate his submission. Perused the same. The State Commission were convinced that there was no mala fide intention in this matter. Hence, the PIO is exonerated and the case is disposed of and closed, with no orders on penalty.

Pronounced in open proceedings

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


SCIC
20.2.09

SIC
20/2/09