

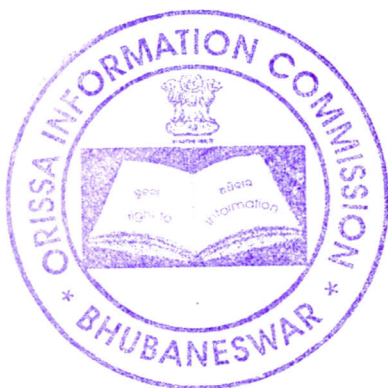
BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Date: 19th March, 2009

Complaint Case No. 258//2007

Suresh Kumar Patnaik
At/PO-Old Post Office Street,
Chatrapur,
Ganjam district.....Complainant



-Vrs-

Public Information Officer,
Higher Education Department,
Government of Orissa,
Secretariat,
Bhubaneswar.....Opposite Party

Decision

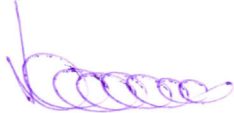
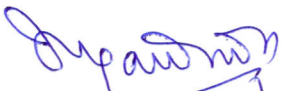
1. Complainant Suresh Kumar Patnaik is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006. Sourjya Ranjan Parija, PIO, Umakanta Sahu, ex-PIO, Sk Asir, Senior Assistant and Purnendu Pattanaik, Senior Assistant, Directorate, Higher Education, Orissa, Bhubaneswar are present. Heard. Perused the case record. This case arises out of complaint petition dated 06/03/07 and heard earlier on 27/11/07, 06/05/08, 15/07/08, 23/10/08 and 17/02/09.
2. The Complainant had sought, in form A application dated 30/10/06 from the PIO, Higher Education Department, Government of Orissa, Secretariat, Bhubaneswar (i) copy of the list of candidates selected in the interview for the post of Demonstrator by the Selection Committee,

(ii) copy of letter no.26196 dated 22/04/1991 etc. The PIO, Higher Education Department, after receiving the application on 31/10/06 intimated the Complainant on 13/11/06 to deposit the cost for information. On receipt of cost on 28/11/06, the information was furnished on item no.1 only on 30/11/06. For the balance information, the form A application had been transferred to the PIO, Directorate of Higher Education, Orissa, Bhubaneswar on 13/11/06 under Section 6 (3) of the RTI Act, 2005. The PIO, Directorate of Higher Education, Orissa, Bhubaneswar submitted that the said letter had not been received in the Directorate of Higher Education, Orissa, Bhubaneswar. On receipt of a notice from the State Commission, he consulted with the PIO, Higher Education Department and collected a copy of form A application but the enclosure was missing. Thereafter, again in consultation with them required information was supplied to the Complainant on 14/03/08. The PIO, Directorate of Higher Education, Orissa, Bhubaneswar stated that there was no malafide intention in wanting to withhold the information.

3. The State Commission were convinced that there was a gap of correspondence between the Department and Directorate. Hence, Opposite Parties are exonerated and the case is disposed of and closed with no orders on penalty. Inform the Complainant who has received the information, partly on payment of cost within time and the balance, free of cost.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 19th day of March, 2009.


SCIC
19.3.09

SIC 19/3/09