

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**



Present.: **Hon'ble Shri D.N. Padhi, S.C.I.C**
and
Prof. Radhamohan, S.I.C

Date: 1st February, 2007

Complaint Case No. 17/ 2007

Shri Radhanath Kar
At : Kapilaprasad,
PO - Sundarpada,
Bhubaneswar - 751002,
Khurda District.....Complainant

-Vrs-

Shri Abhay Kumar Mallick
Public Information Officer,
Office of the Inspector of Schools,
Khurda Circle,
Khurda District.....Opposite Party

Decision

- 1 Both parties are present. Heard. Perused the case record.
- 2 It is found from the record that the Complainant had filed form A application dated 05/12/06 with the PIO, which was received by the latter on 07/12/2006. From the official records produced by the PIO (OP) it is seen that he sent information to the Complainant by speedpost on 11/01/07 which he received on 12/01/07.
- 3 The PIO further submits that he intimated the Complainant vide his letter No. 16125 dated 23/12/06 to deposit Rs.39/- as prescribed under Section

- 7 (3) of the RTI Act, 2005 (Act for short); but the Complainant mentioned that he had not received any such intimation. Admittedly he has not deposited any amount towards the cost of information.
- 4 The PIO further verbally submits that as he was aware that the Complainant was a retired employee under the Public Authority, he took a compassionate view and provided on 11/01/07 the information dated 30/12/06, free of cost, to him although the Complainant had not deposited any amount towards the cost of providing the information and the postal charges. The said charges, if seems, were borne by the PIO as stated in the written showcause.
- 5 In view of the discussions made above it is held that the PIO acted reasonably and diligently and, therefore, he cannot be faulted in any manner to have violated any provision of the Act.
- 6 Hence, the complaint case is dismissed.

Pronounced

Given under the hand and seal of the State Commission, this 1st day of February, 2007.


Hon'ble SCIC

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SIC

Rashmi
01/02/07