

**ODISHA INFORMATION COMMISSION  
BHUBANESWAR**

**Present: Shri Jagadananda,  
State Information Commissioner**

**Dated: 8<sup>th</sup> April, 2013**

**Complaint Case No.2380/2012**

Hina Muduli,  
W/o-Late Gobinda Muduli,  
At-Khuntubandha,  
PO-Badagotha,  
PS-Nuagaon,  
Nayagarh district.....Complainant.

**Vrs.**

Public Information Officer,  
Panchayati Raj Department,  
Government of Odisha,  
Bhubaneswar,  
Khurda district.....Opposite Party.

**Decision**

1. Complainant Hina Muduli is absent. Kailash Chandra Mallick, Deputy Secretary-cum-PIO (Nodal) and Suresh Chandra Mallick, Section Officer-cum-APIO, both from the Panchayati Raj Department, Government of Odisha, Bhubaneswar are present. Heard. Perused the case record. This case arises out of the Complaint Petition dated 06.11.2012.
2. The facts of the case in brief is that the Complainant had sought to obtain information related to the details of allotment of IAY units in Badagotha Gram Panchayat under Nuagaon Block of Nayagarh district from the year 2002 till date, including steps taken on her earlier applications dated 28.05.12 and 30.07.12 filed with the BDO, Nuagaon Block and related issues thereof, through RTI application dated 12.08.12 filed with the PIO, Panchayati Raj Department, Government of Odisha, Bhubaneswar under Section 6 (1) of the RTI Act, 2005 (Act for short). No information is alleged to have been received so far.

3. The PIO submitted the fact that the RTI application dated 12.08.12 in question has not been received in the Public Authority so also the applications dated 28.05.12 and 30.07.12 based on which the information has been sought for by the Complainant. However, upon receipt of the copy of the said RTI application through the Commission, the same has been transferred under Section 6 (3) of the Act to the PIO, Nuagaon Block, Nayagarh district to furnish the information directly vide letter No.10027 dated 02.04.2013.
4. The Form 'F' Register maintained in the Public Authority including the corroborative documents adduced before the Commission were verified and found to be in order. Neither is any evidence available on record as to the manner and process of filing of the RTI application nor is any acknowledgement granted in token of receipt of such application. Therefore, we find no cogent reason to disprove the submission made by the Opposite Party in this case.
5. However, the PIO has indeed, taken steps to make available the information to the Complainant by transferring the RTI application to the concerned Public authority, i.e., the Panchayat Samiti, Nuagaon, Nayagarh district as per the provisions of the Act.
6. On careful consideration of the case, we are satisfied with the compliance submitted by the PIO, while there appears no ground to proceed with the case further, the BDO, Nuagaon Panchayat Samiti, Nayagarh district is directed to ensure appropriate response to the RTI applicant, expeditiously with least delay.
7. It has been observed that the information as sought for by the Complainant relates to allotment of houses under Indira Awas Yojana, waiting list of the beneficiaries, if any, the proceedings of the relevant Gram Sabha / Palli Sabha meeting in which decision to this effect has been made, etc. We are of the considered opinion that if such information is made available proactively through the Panchayati Raj Department covering each and

every DRDA across the State, the citizens will have minimum resort to the use of this Act to obtain such routine information.

8. Therefore, in exercise of powers vested under Section 19 (8) of the Act, the Commissioner-cum-Secretary, Panchayati Raj Department is directed to ensure
  - (i) issue of comprehensive guidelines to all the Public Authorities of various tiers of Panchayat Bodies under their administrative control for public disclosure of the information ibid under Section 4 (1) (b) of the Act and institute self-auditing process of all such disclosure in a time bound manner;
  - (ii) to earmark designated transparency days in a month at various level of the Panchayati Raj administration including the Gram Panchayats, Panchayat Samities and Zilla Parishads to enable access to the relevant records up to 2-3 hours at the Public Authority to the information seekers enabling them to meet their information need which is likely to curb the inflow of complaints under the Act and at the same time make it easy for them to come up with their specific information need;
  - (iii) to examine the feasibility of a transparency week during the year as a sequel to the Annual Social Audit exercise in which the records of development programmes, rural asset details, such as Panchayat / Panchayat Samiti roads and buildings and proceedings of various meetings, etc., are laid through a suo motto disclosure. This is not only likely to enhance greater transparency and accountability in public affairs but also will provide a deterrent to corrupt practices and processes, if any; and
  - (iv) the days so earmarked should be ensured to be widely publicised well in advance to the public through notice boards, newspapers, public announcements, media broadcast or any other means.

Compliance in shape of an action taken report should be furnished within 30 (thirty) days of receipt of this order, through the Registrar of the Commission

9. With the direction supra, the case is disposed of and closed.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this the 8<sup>th</sup> day of April, 2013.

**Sd/-**

**State Information Commissioner**