

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR



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

Date 1st July, 2009

Complaint Case No. 1057/2008

Biswajit Mohanty,
C/o B.Mohanty & Co.,
Chartered Accountants,
Link Road,
Cuttack-753012Complainant

-Vrs-

The Public Information Officer,
Revenue and Disaster Management Department,
Government of Orissa,
Secretariat,
Bhubaneswar.....Opposite Party

Decision

1. Complainant Biswajit Mohanty is present. Pradipta Kumar Sahani, Under Secretary-cum- PIO and Rama Chandra Soren, Section Officer, RTI Cell, both of the Revenue and Disaster Management Department, Government of Orissa, Secretariat, Bhubaneswar are also present. Heard them and perused the case record. This matter arises out of complaint petition dated 26/7/2008 under section 18 (1) (c) of the RTI Act, 2005.
2. Complainant had filed form A application dated 10/6/2008 seeking information relating to all OAS officers who have been posted as on 10/6/2007 in various offices and departments in Bhubaneswar city by way of (i) Name of the incumbent (ii) post and office where posted (iii) date of joining (iv) place where the incumbent was previously posted.
3. In response to the said RTI application, the PIO had intimated vide letter no.29230 dated 7/7/2008 the Complainant to deposit an amount of Rs. 24/- towards the cost of information.

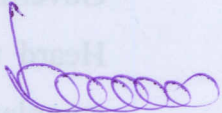
After receipt of the cost, the required information was supplied to him vide letter no.33396 dated 6/8/2008.

4. Complainant Biswajit Mohanty alleged today that actually he received the intimation by post from the PIO on 23/7/2008 though it is dated 7/7/2008. He apprehended that the letter was posted on 19/7/2008 instead of 7/7/2008.
5. Hearing both the parties and on scrutiny of the corroboratory evidence submitted by the PIO by way of the Issue Register and the Stamp Register (photocopies were taken to record) it was found that actually the letter was dated 7/7/2008 but posted on 8/7/2008. The delay was due to the postal system. Therefore, the State Commission observed that there was neither any delay nor any malafide intention on the part of the PIO. Hence, the case is disposed of and closed with no orders of penalty. The PIO is exonerated.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 1st day of July, 2009.




SCIC
1.7.09