

BEFORE THE ORISSA INFORMATION COMMISSION

BHUBANESWAR

Present: Shri Jagadananda, SIC

Date: 18th May, 2009

Complaint Case No. 1125 / 2007



Murshid Khan,
Tamal Sasan,
PO-Chaudakulat-754222,
Kendrapara District.....Complainant

-Vrs-

1. Public Information Officer,
Office of the Inspector of Schools,
Kendrapara,
Kendrapara District.
2. First Appellate Authority,
Office of the Inspector of Schools,
Kendrapara,
Kendrapara District.....Opposite Parties

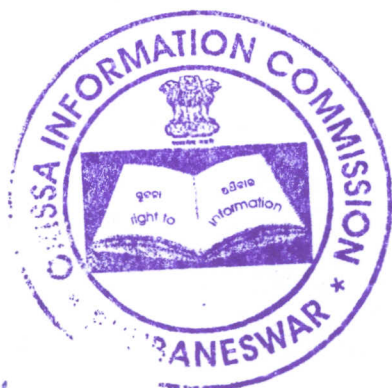
Decision

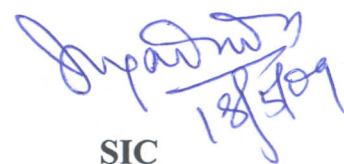
1. Complainant Murshid Khan is present. Baladev Mahali, Administrative-cum-Accounts Officer-cum-PIO and Nandika Mohanty, Inspector of Schools-cum-First Appellate Authority both from the office of the Inspector of Schools, Kendrapara are present. Heard. Perused the case record. The case arises out of the complaint petition dated 30/07/07.
2. Records reveal that the Complainant filed form A application with the PIO on 17/04/07 seeking information related to appointment of Urdu teachers and related issues. Available information was furnished vide letter no-4636 dated 11/05/07 within the stipulated time as per Section 7(1) of the RTI Act, 2005 (Act for short).

3. The Complainant alleged that the information furnished were incomplete and inconsistent and hence an appeal petition was filed on 27/06/07 before the First Appellate Authority. Further information was furnished vide letter no-9875 dated 06/11/07.
4. The PIO submitted that on a self same issue complaint petition filed by the Complainant has been disposed of by the State Commission earlier. The Complainant alleged that the information related to item no-6 of his RTI application as to “when the appointment of teachers will be made” has not been attended.
5. The State Commission is of the opinion that the balance information does not come under the purview of the Section 2(f) of the RTI Act, 2005.
6. However, the First Appellate Authority has not acted within the stipulated time as per Section 19(6) of the Act while dealing with the appeal. The Inspector of Schools-cum-First Appellate Authority, Kendrapara district is cautioned to deal with RTI appeals within the stipulated time hence forth failing to do so will attract disciplinary action under Section 20(2) of the Act.
7. With the above observation supra, the case is closed and disposed of with no orders on penalty.

Pronounced in open proceedings

Given under the hand and seal of the State Commission, this 18th day of
May, 2009.




SIC