

**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**

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

**Date: 29<sup>th</sup> April, 2009**

**Complaint Case No.537/2008**



Somanath Sahu  
Village Marchandpur  
P.O.-Jugal  
Mayurbhanj district.....Complainant

-Vrs-

Public Information Officer  
Office of the Block Development Officer,  
Betnoti Block  
Mayurbhanj district.....Opposite Party

**Decision**

1. Complainant Somanath Sahu is present. Alok Kumar Das Mohapatra, Fishery Extension Officer-cum-PIO, Betnoti Block, Mayurbhanj district is also present. Heard them and perused the case record. This case is being heard for the first time, and arises out of complaint petition dated 8.04.08.
2. The Complainant had filed form A application dated 24.12.07 with the PIO, Betnoti Block, Mayurbhanj district to seeking photocopies of the plan and estimates relating to the construction of Cement Concrete (C.C. road) from Marchandpur Hajira Pokhari to Jugal P.H.C. taken up in 2006-07. After receipt of the said form A application the PIO, Betnoti Block forwarded the same on 26.12.07 to the Executive Officer, Jugal Gram Panchayat for immediate necessary action. The latter had been subsequently instructed on 3.03.2008 to supply the plan and estimates to the Complainant immediately. As reported by the Executive Officer, Jugal Gram Panchayat the estimates were supplied on 24.05.08 to the Complainant as the matter was under dispute

between two groups of people in the said villages, due to difference of opinion amongst them on the starting point of the work. After settlement of the dispute the estimates were prepared and supplied to the Complainant on 24.05.2008. Hence at the time the RTI application was made the plan and estimates had not been finalized and work not started, due to the dispute between the people of the neighbouring villages. The PIO pleaded that, therefore, the request did not conform to Section 2(f) of the RTI Act,2005. The fact of dispute was confirmed by the Complainant, who expressed happiness that he had subsequently received all required information.

3. On hearing both parties, the State Commission were of the considered view that PIO had acted diligently and there was no malafide intention to delay supply of information. In view of the above situation the case is disposed of and closed. The PIO is exonerated with no orders on penalty, and circumstantial delay condoned.

**Pronounced in open proceedings.**

Given under the hand and seal of the State Commission, this 29th day of April, 2009.



  
SCIC  
26.4.09