

**BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR**

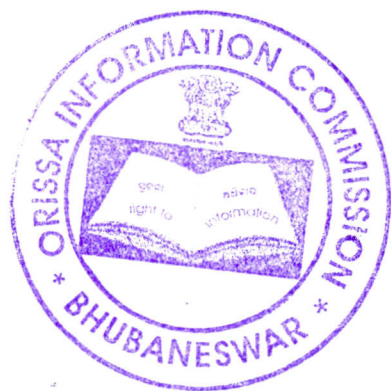
**Present: Hon'ble Shri D.N.Padhi, SCIC  
and  
Shri Jagadananda, SIC**

**Date: 2nd April, 2009**

**Complaint Case No. 752 /2007**

Sandhayarani Pani,  
Advocate,  
Hill Patna-3<sup>rd</sup> lane,  
Berhampur-760005,  
Ganjam district.....Complainant

-Vrs-



1. Public Information Officer,  
Works Department,  
Government of Orissa,  
Secretariat,  
Bhubaneswar.
2. Public Information Officer,  
Office of the Engineer-in-Chief (Civil), Orissa  
Bhubaneswar.....Opposite Parties

**Decision**

1. Complainant Sandhayarani Pani is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission ( Appeal Procedure) Rules, 2006. Lingaraj Naik, PIO-cum-Under Secretary, Works Department is present. Heard. Perused the case record. This case arises out of complaint petition dated 11/06/07 and earlier heard by the State Commission on 02/07/08, 17/09/08 and 28/01/09.
2. The Complainant had sought information in form A application dated 16/04/07 from the PIO, Works Department on 5 items regarding regularization against vacancies and service benefits of identified DLR workers engaged under the control of Works Department. The PIO

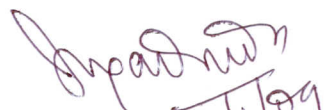
submitted that he sought the assistance of Engineer-in-Chief (Civil), Orissa, vide letter no.6860 dated 26/04/07 to provide the information. The latter furnished the information vide letter no.21142 dated 25/05/07 with memo copy to Complainant. Thereafter, the Complainant was requested vide letter no.9562 dated 04/06/07 to deposit Rs.32/- towards cost of providing information.

3. After receiving the cost, the information were supplied to the Complainant on 19/06/07. PIO, further submitted that since the cost of information was received after expiry of 30 days, same has been refunded in full to the Complainant.
4. As regards the delay, the PIO stated that they had to collect information from 3 Divisions and other Sub-divisions causing the delay, which was circumstantial.
5. Taking into account the facts and circumstances, the State Commission were of the opinion that the delay was circumstantial rather than intentional and did not find any malafides with the opposite parties. The PIO was therefore, exonerated with no orders on penalty and the case disposed of and closed. Inform the Complainant.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 2<sup>nd</sup> day of April, 2009.

  
**SCIC**  
2.4.09

  
**SIC** 2/4/09

Cal.