

BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR



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

Date: 10<sup>th</sup> April, 2009

Complaint Case No. 764 /2007

Sumitra Das,  
At-Kashipur,  
PO-Keonjharhargah-758001  
Keonjhar district.....Complainant

-Vrs-

1. Public Information Officer,  
Office of the Principal Chief Conservator of  
Forests, Orissa, Bhubaneswar  
Aranya Bhawan, Chandrasekharpur,  
Bhubaneswar
2. Conservator of Forests(Admn)  
Office of the Principal Chief Conservator of  
Forests, Orissa, Bhubaneswar,  
Aranya Bhawan, Chandrasekharpur,  
Bhubaneswar(Referred PIO)
3. Chief Conservator of Forests (Admn)  
Office of the Principal Chief Conservator of  
Forests, Orissa, Bhubaneswar,  
Aranya Bhawan, Chandrasekharpur,  
Bhubaneswar (Referred PIO) .....Opposite Parties

Decision

1. Complainant Sumitra Das is absent. The same is condoned under Rule 9 (2) of the Orissa Information Commission ( Appeal Procedure) Rules, 2006. Prasanna Kumar Parida, ex-CCF (Administration) and

Rabinarayan Rath, Section Officer, office of the Principal Chief Conservator of Forests, Orissa, Bhubaneswar (PCCF for short) are present. Heard. Perused the case record. This case arises out of complaint petition dated 04/06/07 and heard by the State Commission earlier on 03/07/08 and 12/02/09.

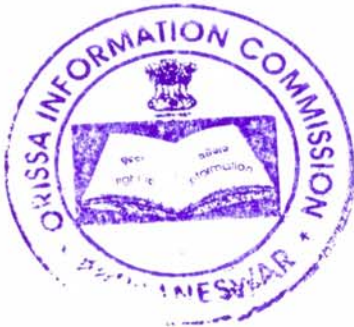
2. It reveals from the record that the Complainant in her application dated 02/07/08 addressed to the Secretary, Orissa Information Commission has requested that the CCF (Admn), office of the PCCF has supplied all information to her for which she wants to withdraw this case. Withdrawal of a case under the RTI Act, 2005 ( Act for short) by the Complainant/Appellant is not sanctioned by law. Once the State Commission record their objective satisfaction regarding existence of reasonable ground to conduct an enquiry, the Complainant has no locus-standi to monitor further proceedings of the case. In view of the above, the prayer of the Complainant for withdrawal is rejected. The matter will continue to be heard on merits.
  3. It is seen from the copy of Complainant's form A application dated 26/12/06 that the PIO had received the same by post on 03/01/07 and had endorsed the application to CCF (Admn) and CF (Admn) on 04/01/07. She had sought information on 4 points regarding inordinate delay in reposting of Binod Bihari Das, Junior Clerk and Santosh Kumar Mishra, Junior Clerk in their parent divisions.
  4. Information were received by the PIO on 09/05/07 which was supplied to the Complainant on 16/05/07. It is submitted by the PIO, that P.K.Parida, ex- CCF ( Administration) of the Public Authority kept the file with him for a considerable length of time. From the
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chronological event chart, it is observed that Rabinarayan Rath, ex-Dealing Assistant (currently Section Officer, Budget Section) and Pratap Das, ex-Section Officer ( retd.), of the Non-Gazetted Section are also responsible for some part of the delay. There was no delay at the level of P.K.Parida.

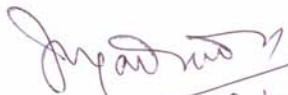
5. Rabinarayan Rath stated that the application of the Complainant was dealt with in one file in 2 F (NG) Section to deal with all the RTI applications for which he has already been penalized covering the entire period of delay in CC no.468/2007. In view of the above position, the opposite parties are exonerated in this case to avoid double jeopardy and the case is disposed of and closed with no further orders on penalty.

**Pronounced in open proceedings**

Given under the hand and seal of the State Commission, this 10<sup>th</sup> day of April, 2009.



  
SCIC  
10.4.09

  
SIC 10/4/09

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