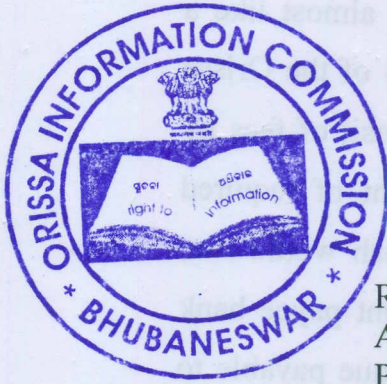


BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR



Present: Shri Jagadananda, SIC

Date: 18th May, 2009

Complaint Case No. 924 / 2008

Ram Abatar Agrawal,
At/PO-Ladugaon-766024,
PS-Koksara
Kalahandi District Complainant

-Vrs-

Public Information Officer,
Office of the Executive Engineer, RWD,
Dharamgarh,
Kalahandi District Opposite Party

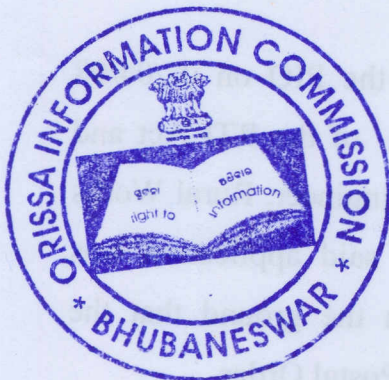
Decision

1. Complainant Ram Abatar Agrawal is absent. Tushar Kanta Panda, Assistant Engineer-cum-PIO, office of the Executive Engineer, Rural Works Division, Dharamgarh, Kalahandi district is present. Heard. Perused the case record. The case arises out of the complaint petition dated 02/07/08.
2. The Complainant filed form A application with the PIO on 02/04/08 seeking information on Section 4(1)(b) disclosure of the RTI Act and other related issues in the office of the Executive Engineer, Rural Works Division, Dharamgarh, Kalahandi district. The said application was rejected by the PIO in form C on 21/04/08 on the ground that the application fee was not admissible through Indian Postal Order.

3. The matter had already been clarified by the State Commission that payment through Indian Postal Order is a valid payment almost like a cash deposit. While interpreting the provisions of Rule 4 of the Orissa Right to Information Rules, 2005 which mentions of deposit of fees by cash the State Commission further reiterate that payment of required fee/cost (under Section 7(5) of the RTI Act, 2005) in cash would also include sending cash towards fee by money order, account payee bank draft, account payee Indian Postal Order or banker's cheque payable to the PIO of the Public Authority by designation but no personal cheques. Accordingly the impugned letter of rejection is hereby set aside.
4. The PIO is directed to furnish the information to the Complainant free of cost as per the form A application within 30 days, from the date of receipt of the order.
5. Subject to compliance, the case is disposed of and closed 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.



[Handwritten Signature]
18/5/09
SIC