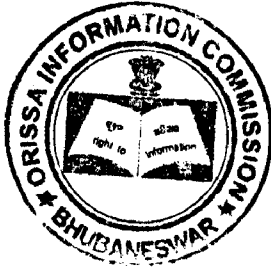


BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

Present: Hon'ble Shri D.N. Padhi, S.C.I.C

Dated. 6th June 2006

Complaint Case No. 53 / 2006



Sri AKhil Kumar Mohanty,
s/o Nimai Charan Mohanty
At: Patapur Samil: Amalapada
PS: Nimapara
Dist: Puri.....Complaint

-Vrs-

1. Sri. Debabrata Jena,
Tahsildar-cum-1st Appellate Authority
Nimapara
2. Public Information Officer
Office of the Tahsildar
Nimapara.....Opposite Parties

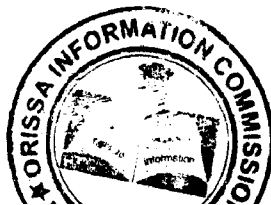
Decision

1. The Complainant and the Opposite Parties (Public Information Officer and 1st Appellate Authority) are present. Heard both sides to their satisfaction.
2. The Complainant Sri Akhil Kumar Mohanty had sought information relating to Government land of village Patapur in Nimapara bearing revenue plot no. 2446 and 2450. The Opposite Parties supplied the information to him within the stipulated time period, but he alleged that the information supplied by the Public Information Officer was incomplete. He approached the State Commission with a complaint u/S 18 of the Right to Information Act, 2005.

3. The Complainant submitted before the State Commission that the two Government revenue plots referred to above were recorded as Gohiri (Pani nala) in 1927-28 Settlement proceedings and wanted to know whether in the meantime the Gohiri Kissam of the said two plots has been changed and recorded as public path (Rasta). The Opposite Party (Public Information Officer) had supplied the information stating therein that Sabak Gohiri Kissam of the said land has not been changed. During local joint inspection by the Revenue Inspector and Amin of Nimapara Tahasil, however, it was found that the people of the locality have been using the said plots as Rasta which has been constructed as a welfare measure by N.A.C, Nimapara.

4. The Complainant challenged the said information as incomplete. He wanted to know if authorities of N.A.C. Nimapara had taken permission from the Tahasildar to convert the Gohiri Kissam land as a public road. The Tahasildar and Additional Tahasildar, Nimapara present before the State Commission candidly submitted not to have been informed by the N.A.C. authority for using the land as 'Rasta' (Road).

5. The State Commission after having heard the parties at length felt it expedient in the interest of justice to hold that the information required by the Complainant had been provided to him by the Opposite Party (Public Information Officer) within the time stipulated under Right to Information Act 2005. Hence there was no default by the Public Information Officer on that court.

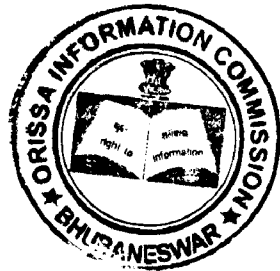


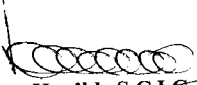
6. However, considering the above submission of the Complainant that the information supplied was incomplete and not to his satisfaction, and not contested by the Public information Officer, the Complainant is directed to pointedly indicate what further specific information is required by him relating to the issue of this case within seven days viz. 13/06/06 before the Public Information Officer. In case such an application is filed by the Complainant, the Opposite Party (Public Information Officer) is directed to supply the said information within 7 days thereafter viz 20/06/06 in accordance with the provisions of the Right to Information Act, 2005. No fees shall be charged by the Opposite Party (Public Information Officer) from the Complainant to supply such remaining information relating to these two revenue plots only. Both the parties are directed to report compliance within a month from today.

With the above observations the case of the Complainant is disposed of.

Pronounced

Given under the hand and seal of the State Commission, this 6th day of June 2006.




Hon'ble S.C.I.C.
06 06 06