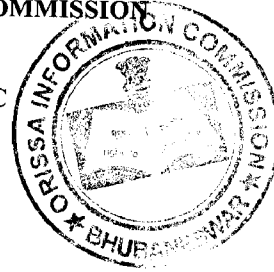


**BEFORE THE ORRISA INFORMATION COMMISSION
BHUBANESWAR**

Present:- :- Prof. Radhamohan, SIC

Dated:- 19th September, 2006

Complaint Case No.117/2006



Sri Brajamohan Sinku,
Divisional Accounts Officer,
PH Division, Rourkela,
At/PO-Panposh,
Sundargarh District.....Complainant

-Vrs-

1. Additional Block Development Officer,
Public Information Officer,
Office of the Block Development Officer,
Jhumpura.
2. Block Development Officer
Cum-1st Appellate Authority,
Office of the Jhumpura Block,
At/PO-Jhumpura-758031,
Keonjhar District.....Opposite Parties

Decision

1. The Complainant is absent. The PIO and the First Appellate Authority of Jhumpura Block office are present. They have filed show causes which are perused.
2. Heard both the Opposite Parties. The absence of the Complainant shall not vitiate the proceeding in view of the statutory option granted to him to choose either to remain present or absent at the hearing of the case.
3. Bereft of irrelevant details, the Complainant filed his application in Form-A u/S 6 of Right to Information Act, 2005(in short, 'Act') seeking for some permissible information through e-mail which is said to have been received by the PIO on 06.09.2006. The PIO submits to have supplied the information through e-mail on 14/09/06 . It is further stated that on 14.09.2006 some more information was again needed by the Complainant, which were also supplied to him on 16/09/2006.

4. Though the above exercises of the Opposite Parties appear to have been complied within time as enshrined at Sec. 7 of the Act, it reveals from the record that much prior to 31.8.2006 the Complainant had also sought for information from the PIO of the Block office, but the application in Form-A was addressed to the Assistant B.D.O. for which neither the PIO nor the Block Development Officer as First Appellate Authority honored that application. But, the Opposite Parties submit that the Assistant B.D.O. was never designated as PIO of the Block and therefore the earlier application of the Complainant was left unattended. The above contention of both the Opposite Parties is hyper-technical in nature and not consistent with their bonafide conduct. If we consider the true aim and object of the Act, they should have provided assistance to the Complainant in rectifying the curable defect committed by him in sending the application to the Assistant B.D.O. who was not the PIO, but they fairly confessed not to have acted in the above manner. Both the Opposite parties are therefore advised to help citizens committing such errors.
5. At this stage, the PIO produces the R.T.I. Application Register maintained in their office in due course of their official business. On the perusal of the said register, it is found that all the applications except the present one has been attended to by the Opposite Parties within the stipulated time. Therefore, there appears ample justification in exonerating the opposite parties from the above discussed illegality committed by them. At any rate, the information having been provided to the Complainant within the stipulated time, there may not be any foundational reason to prolong this case, any more which is hereby dismissed.
6. Copy of this order be communicated to the District Magistrate and Collector, Keonjhar so that he would impart necessary information to all the Blocks (Public Authorities) functioning under his administrative control to stream-line their official procedure for attending the applications filed before them.

Pronounced

Given under the hand and seal of the state Commission, this the 19th day of September, 2006.



Amr Kumar

SIC