

**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

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

Date 21st September, 2006

Complaint Case No. 123 / 2006



Sri Bijay Kumar Rath
Bihar Tyres,
At/PO - Rasulgarh,
Bhubaneswar.....Complainant

-Vrs-

Sri R. K. Rath, OAS - I (SB)
Deputy Secretary,
cum - Public information Officer,
Department of Higher Education,
Bhubaneswar.....Opposite Party

Decision

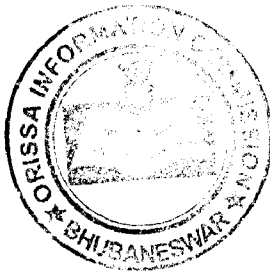
- 1 Complainant Sri Bijaya Kumar Rath is absent. However, in view of the statutory option available to him under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006 his absence is condoned and hearing of the case is taken up on merit. The PIO Sri Ramakanta Rath of the Higher Education Department is present. Heard the PIO and perused the case record.
- 2 It reveals from the application dated 07/06/06 of the Complainant in form A u/S 6 of the RTI Act, 2005 (Act for short) that he had sought for a copy of the Audit Report of Maharsi College of Natural Law, Bhubaneswar as also a copy of the preliminary and final report of the administrative enquiry about the irregularities of that College. The PIO communicated his decision vide his Department's letter No. 24542 dated 07/07/06 that no such information has either been received or available in their Department. He had further

informed that in case such information will be available to the Department in future, the Complainant will be intimated about the same. It is also found that the PIO (OP) has attended to the RTI application of the Complainant within the stipulated time line under section 7(1) of the Act. Right to his commitment, the PIO (OP) on receipt of a portion of the information related to Audit had provided the same to the Complainant on 14/08/06. As regards preliminary and final report of the administrative enquiry, the PIO (OP) stated that no such report is available till date with the Department, which he has also intimated to the Complainant on 14/08/06.

- 3 In view of the timely and consistent follow up by the PIO in attending to the application of the Complainant, no semblance of negligence can be attributed as against him. For the reasons aforesaid there appears no merit in the case of the complainant, which is hereby dismissed, with the direction that PIO should furnish the remaining information to the Complainant when available in their Department.

Pronounced

Given under the hand and seal of the State Commission, this 21st day of September, 2006.



[Handwritten Signature]
Hon'ble SCIC
21. 9. 06
[Handwritten Signature]
SIC