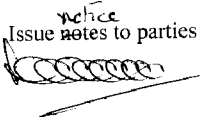


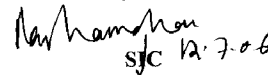
2 12/07/06

Complaint case No- 13/2006

1. Complainant Sri Braja Sunder Patnaik is present. The Opposite Party Sri B.B. Panigrahi, Treasury Officer, Khurda, Bhubaneswar and Sri Damodar Ray, Accountant, District Treasury, Dhenkanal are present. The Treasury Officer Baripada, Mayurbhanj is absent on repeated calls inspite of notice sent to him by the State Information Commission. Heard the parties present in detail.
2. The Complainant who is a retired Executive Engineer has alleged in his complaint petition to have been deprived of getting information from the Treasury Officer, District Treasury, Baripada relating to the drawal of his own pay from Karanjia Sub-Treasury for the period from 17/01/73 to 28/08/74 as SDO (PCOD), Karanjia. He also submits to have received an evasive reply from the said Treasury Officer who has indicated in his letter No 516 dated 28/01/06 to have advised the Applicant to obtain the pay particulars for the above period from his the then office. Perused the said letter.
3. The Treasury Officer, Baripada being absent today the above allegation of the Complainant cannot be effectively decided. Put up on 27/07/06 for hearing on the above issue in presence of both the Treasury Officer, Baripada and Sub-Treasury Officer, Karanjia. Legal wing to issue notice to them along with copy of the complaint petition dated 01/03/06. Failure to be present will attract penal action.
4. The second issue raised by the Complainant related to Treasury Officer Dhenkanal. The said Treasury Officer is absent but represented by his Accountant Sri Damador Ray whose presence was accepted for the sake of early disposal of the matter. The Complainant needed the details of the pay particulars drawn by him from Dhenkanal Treasury for the period from 22/07/63 to 17/09/85 while he was working as the Assistant Engineer R.E. Division, Dhenkanal. He submits not to have received the said information. The Accountant, Dhenkanal Treasury could not explain the reasons for non supply of the above information. It is only pointed out by him that the related files have been consigned to the Record Room of Dhenkanal Collectorate, which would need to be traced out. He also submits to have intimated the Record Keeper to provide the needed information. The above is not reasonable an explanation by which the State Commission can be satisfied.
5. After having heard the contesting submissions the State Commission direct the Treasury Officer, Dhenkanal and Accountant of Dhenkanal Treasury Sri Ray to provide the information to the Complainant free of cost and postal charges on or before 21/07/06 as the time prescribed to provide the inform has expired. The Accountant Sri Ray shall report compliance to the State Commission about the above through the Registrar on or before the date fixed.
6. The third question relates to the District Treasury, Khurda, Bhubaneswar. The Complainant did not press for the same by submitting that he has received all the information from the said Treasury. The State Commission very much appreciate the positive steps taken by the Treasury Officer, Khurda Sri B. B. Panigrahi and his staff in providing information within 2 days of the application by the Complainant.
7. Call on 27/07/06 for further hearing. ^{notice} Issue ~~notes~~ notes to parties as required. Inform the Complainant.


Hon'ble SCIC

12.7.06


s/jc 12.7.06

**ORISSA INFORMATION COMMISSION
FORM OF DECISION SHEET**

Hon'ble State Chief Information Commissioner, Orissa

Complaint Case No 13/2006

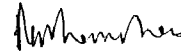
SL No.	Date of decision	Decision with the signature of the State Commission	Action taken with date
3	27/07/2006	<p>1. Complainant Sri Braja Sundar Patnaik is present. Sri N. Nayak Sub-Treasury Officer, Karanjia-cum-Public Information Officer and Sri B.C. Biswal, Treasury Officer, Baripada (1st Appellate Authority) are present. Treasury Officer, Dhenkanal is absent on repeated calls. Treasury Officer (I/C), Dhenkanal has intimated the State Commission vide his letter No 2616 dated 20/07/06 that the District Record Room authority has reported that the files containing the required information have been destroyed. Heard the parties present in detail. Baripada Treasury and Karanjia Sub-Treasury have supplied the information on time to the Complainant for which the said Opposite Parties are exonerated from the ambit of this case.</p> <p>2. The fact of destruction of record informed by the Treasury Officers(I/C), Dhenkanal cannot be accepted on the face of the clear mandate of the Right to Information Act, 2005 stating that a citizen has an unfettered Right to get information from the Public Authorities. Assuming that the record has been destroyed, diligent endeavours should have been made by the Treasury Officer (I/C), Dhenkanal for re-construction of the record with the aid of other official documents/papers available in his office.</p> <p>3. For the reasons indicated above, the State Commission hereby direct the Treasury Officer(I/C), Dhenkanal to discover</p>	

the related accounts of the Complainant and re-construct the record and supply the same to Sri Braja Sundar Patnaik on or before 25/08/06 under intimation to the Registrar, Orissa Information Commission, Bhubaneswar.

4. At the same time the Collector and District Magistrate, Dhenkanal is also directed to oversee implementation of the above direction by the Treasury Officer (I/C), Dhenkanal.
5. Put up on 25/08/06 further orders.


Hon'ble SCIC

27-7-06


SIC

Compliance report
by Treasury Officer
Dhenkanal received.
The case is closed.
25/8/06