

BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR



Present.: **Hon'ble Shri D.N. Padhi, S.C.I.C**
and
Prof. Radhamohan, S.I.C

Dated. 6th July of 2006

Complainant Case No. 14/2006

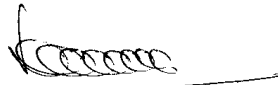
Sri Pradeep Kumar Dhal,
At: Charigharia
Po: Madhavnagar
Bhadrak District.....Complainant

-Vrs-

District Labour Officer-cum-Public Information Officer,
Bhadrak District.....Opposite Party

Decision

1. The Complainant Sri P. K. Dhal is absent. His absence, however, is condoned under Rule 9 (2) of the Orissa Information Commission (Appeal Procedure) Rules 2006.
2. The Opposite Party, Sri Dinesh Bhattacharya, District Labour Officer, Bhadrak-cum-Public Information Officer is present. Perused the averments made in the compliant petition and the documents filed which are now on record. Heard the Public Information Officer in detail.
3. According to the Public Information Officer, the Complainant had applied on 13/02/2006 in form A of the RTI Act, 2005 (hereinafter referred to as in "Act" in short) seeking some information. It reveals from the documents on record that the application of the Complainant dated 13/02/2006 u/S 6 of the Act was received by the PIO (Opposite Party) on 15/02/2006. On 17/02/2006 the PIO intimated the Complainant to disclose his identity. In response to the said intimation of the PIO the Complainant disclosed his identity on 25/02/2006. Soon thereafter on 28/02/2006 the PIO intimated the Complainant to deposit Rs.215 /- towards the fees / postage for preparation of the copies of the information and despatch to him.
4. After receipt of the above intimation from the Public Information Officer on 28/02/2006, the Complainant vide his letter dated 04/03/2006 reduced the volume of the information earlier sought for by him and requested the Public Information


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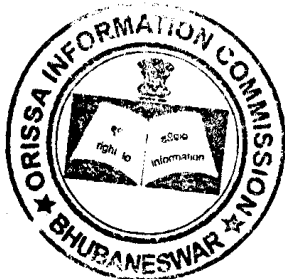
Officer to provide information to him as per his revised request. The Public Information Officer assessed the required fees as per the revised request and intimated the Complainant on 09/03/2006 to deposit Rs.105/-. Although the said intimation was received by the Complainant the same day he did not turn up before the Public Information Officer to deposit the fees. The Public Information Officer made repeated endeavours to procure the presence of the Complainant to facilitate supply of information to him but in vain. Repeated reminders were also sent by Public Information Officer but the Complainant did not respond to them. Thus the Public Information Officer rejected the application of the Complainant on 17/04/2006 for lack of interest on part of the Complainant.


5. During scrutiny of the case record the Complainant is found to have exhibited peculiar conduct. He filed this complaint before the State Commission on 05/03/2004 and by that date his request for information was pending consideration before the PIO (OP). The Complainant not having deposited the required fees inspite of intimation received by him, should not have expected that the provisions of the Act would to be diluted for him and information provided free of cost, if that was his expectation. Taking aid of the above factual background the State Commission is of the considered view that the PIO is perfectly justified in rejecting the application dated 13/02/2006 of the Complainant u/S 6 of the Act.
6. The State Commission while appreciating the timely and positive steps taken by the Opposite Party (PIO) to fulfill the mandates of the Act, find no merit in the allegations levelled by the Complainant against the PIO (OP). Thus the case of the Complainant is dismissed.

Inform all parties.

Pronounced

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




Hon'ble S.C.I.C
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