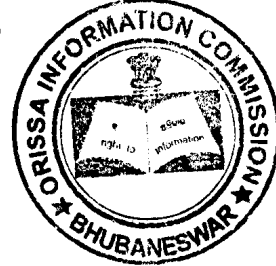


BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR

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

Date 26<sup>th</sup> July, 2006

Complaint Case No.33/2006.



Sri Surendreanath Khuntia,  
270, Kharavela Nagar, (1<sup>st</sup> floor ),  
Unit-III, Bhubaneswar.....Complainant

-Vrs-

- 1 Sri Jyotimati Samantaray,  
Public Information Officer,  
I & PR Department,  
Bhubaneswar
- 2 Sri Jagadish Chandra Mahapatra,  
Public Information Officer,  
Under Secretary to Govt,  
G A Department  
Bhubaneswar.....Opposite Parties

Decision

Both the Complainant and the Opposite Party No2- Public Information Officer, are present. Heard both in detail. The Opposite Party No 1 (APIO, I & PR Department) has no role to play than to receive the application in the Central cell on Right to Information Act and forwarding the same to Opposite Party No-2.


- 1 The main contention of the Complainant is that his Human Rights have been violated by the Opposite Party for reasons indicated in his complaint petition dated 06/05/06 filed under the proviso to Section-24(4) of the R.T.I. Act, 2005(Act for short).
- 2 The Complainant submits to have sought for information regarding final orders on his application for conversion of his leasehold land in Plot No.42, Forest Park, Bhubaneswar to freehold. The Public Information Officer (Opposite Party No-2) submits in reply that the information is related to the General Administration Department and dealt with by the Director of Estates and therefore, soon after receipt of the application he endorsed the application to the Director of Estates, General Administration Department, Govt of Orissa.

- 3 To begin with, none of the allegations of the Complainant are related to violation of his Human Rights. The information as sought for by the Complainant fall within the ambit of Section 6 of the Act. Assuming for the sake of argument though not conceding, that the Humans Rights of the Complainant have been violated for non-receipt of final permission for conversion of his leasehold land to freehold, he is at liberty to approach the appropriate forum to establish his claim. The Orissa Information Commission is not empowered under the Act to adjudicate allegations relating to violation per se of Human Rights. Read in its correct context, the idea of Human Rights violations as referred to u/S 24(4) of the Act, relate to Intelligence and Security Organizations(specified in the Second Schedule-ibid) who are otherwise exempted from sharing sensitive organizational information.
- 4 For the reasons aforesaid the State Commission while rejecting the complaint for the alleged violation of Human Rights referred to under Section.24(4) of the Act, make it clear that in case the Complainant wishes to get some information which is his natural Right, he may approach the P.I.O. concerned of the General Administration Department by submitting an application afresh u/S 6 of the Act, read with Rule-4 of the Rules framed thereunder since the matter of conversion of land status is the subject matter of the General Administration Department under the Rules of Business of the Orissa Government.
- 5 With these observations the case of the Complainant is disposed of.

**Pronounced**

Given under the hand and seal of the State Commission, this 26<sup>th</sup> day of July, 2006.



  
**Hon'ble SCIC**  
26.7.06

  
SIC