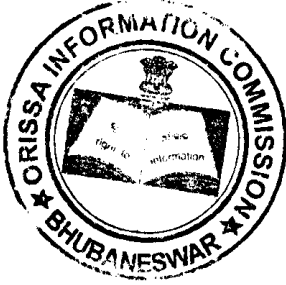


BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR

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

Dated. 23rdth August of 2006

Complainant Case No. 56/2006



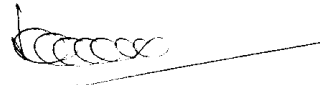
Smt Kalyani Pradhan,
Vill-Kambriki,
Po-Arabaka,
Ps-Tikabali,
Kandhamala District.....Complainant

-Vrs-

1. Sri Purna Chandra Padhi
Public Information Office,
Chakapada Block Office,
Chakapada
Kandhamala District.
2. Block Development Officer,
Chakapada Block
Kandhamala District.....Respondent

Decision

1. Smt. Kalyani Pradhan, Complainant and Sri Purna Chandra Padhi, Progress Assistant-cum-P.I.O. Chakapada Block in Kandhamal District are present. Heard both parties in detail
2. It is seen from the case record as well as understood from the submissions of the parties that the Complainant filed on 11/05/06 her application u/S 6(1) of the R.T.I Act 2005 (Act for short) before the Opposite party. It is alleged by her that till today the Opposite party has not provided the information needed by her.
3. The Opposite Party -PIO submits in reply that the Complainant has neither claimed to be a BPL card holder nor deposited the required fees with her application for which no action could be taken. In a given case of the this nature the PIO-OP should have rendered due assistance to the Complainant by intimating her to rectify the above defect but he has taken no such steps.
4. In the application of the Complainant u/S 6 of the Act she has asked for the information relating to the construction of "Godam Ghar" (Storage Godown) which was discussed in the "Pallisava" held on 28/11/05. But in the complaint petition filed by her before the State Commission she indicated that she sought for information relating to "Pallisava" dated 28.10.2005 and construction of "Godam Ghar". The


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above discrepancy can only be reconciled by the complainant who is the information seeker but she failed to do so.

5. To summarise the facts, the State Commission has taken cognizance of the above error committed by the Complainant. At the same time the P.I.O. has also failed to discharge his legal obligation of rendering due assistance to the citizen approaching him for information. The PIO(OP) assures the State Commission to dutifully abide by the instruction given to him in this decision in future.

6. The State Commission, taking a holistic approach on the basis of facts and circumstance of the case narrated above give the following decision:-

(a)The Complainant may submit a fresh application u/S 6 of the Act by fulfilling all the procedural norms of the Act and the Rules framed there under by the State Govt., and


(b) incase such a fresh application is filed by the Complainant, the PIO shall furnish the information which is not be exempted u/S 8 of the Act, to the Complainant within 7 days from the date of receipt of the said application.

With the above directions the case of the Complainant is disposed of.

Pronounced

Given under the hand and seal of the State Commission, this 23rd day of August 2006.




Hon'ble SCIC
23.8.06