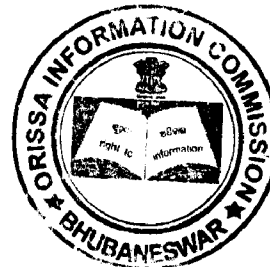


**BEFORE THE ORISSA INFORMATION COMMISSION
BHUBANESWAR**

Present: **Hon'ble Shri D.N. Padhi, SCIC**
and
Prof. Radhamohan, SIC
Date 18th July, 2006

Complaint case No 60/2006



Prof. Rabi Shankar Mishra,
Qrt. No-C-32,
Jyoti Vihar, Burla,
Sambalpur-768019..... Complainant

-Vrs-

Sri Nandalal Nath,
Public Information Officer,
and Deputy Registrar (Spl. Cell),
Sambalpur University,
Jyoti Vihar, Burla,
Sambalpur-768019..... Opposite Party

Decision

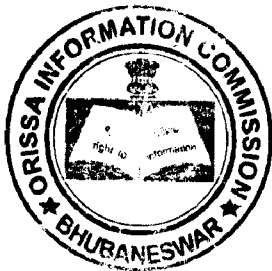
- 1 Complainant Prof Sri Rabi Shankar Mishra and Sri Nandalal Nath, PIO Sambalpur University are present. Heard both sides in detail.
- 2 The Complainant had sought for a solitary information about the procedural defects noticed by the Syndicate of Sambalpur University in writing of CCRs by which they were prompted to expunge certain adverse remarks recorded in respect of a few academic staff. The Complainant very much insisted that the PIO is duly bound in Law to provide the information but he has failed to discharge his legal obligation. There being no designated 1st Appellate Authority in the said University, the Complainant was constrained to move the State Commission by filling this complaint.
- 3 The PIO files a written show cause which was perused. He submits that CCRs are clarified as Confidential which cannot be provided to the Complainant. The PIO is of the wrong notion that the Complainant has sought for disclosure of the entries in the CCRs. In fact the Complainant has only sought for the information about the defects in procedure noticed by the Syndicate of Sambalpur University in due recording thereof. Therefore, the above defence of exemption of CCRs entries from disclosure indicated by the PIO has no legal basis and hence is turned down.

- 4 For the reason aforementioned, the State Commission hereby direct the PIO to provide the copy of the relevant Resolution of the Syndicate of Sambalpur University specifically meeting the information requirement to the Complainant on or before 05/08/06 failing which action as would deem fit and proper shall be taken against him and such other persons who do not co-operate with him, in accordance with the provisions of the RTI Act, 2005 (Act 22 of 2005).
- 5 At the same time the State Commission direct the Vice-Chancellor, Sambalpur University to take urgent steps to designate an officer superior in rank to the PIO as the 1st Appellate Authority, if not already done. If done, a copy of the same may be endorsed to the Registrar of the State Commission.
- 6 With the above observations the case of the Complainant is allowed. Put up on 05/08/2006 for submission of compliance report by both the PIO and the Vice Chancellor, Sambalpur University to the State Commission through the Registrar of the State Commission as directed above.

Inform all concerned.


Pronounced

Given under the hand and seal of the State Commission, this 18th day of July, 2006.




Hon'ble S.C.I.C

18-7-06


S.I.C