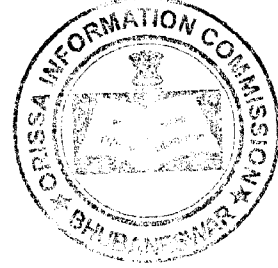


**BEFORE THE ORRISA INFORMATION COMMISSION
BHUBANESWAR**

Present:- :- Prof. Radhamohan, SIC

Dated:- 15th September, 2006

Complaint Case No 74/2006



Sri Goura Chandra Tripathy,
At/PO-Rainrusinghpur,
Dhenkanal District.....Complainant

-Vrs-

1. Public Information Officer,
Collectorate,
Dhenkanal
2. Additional District Magistrate
Cum-1st Appellate Authority,
Collectorate,
DhenkanalOpposite Parties

Decision

1. Complainant is absent. The PIO and the 1st Appellate Authority-OP's No.1 and 2 of Dhenkanal Collectroate are present. On the previous date of hearing of the case, the Complainant has filed an application praying the Commission to direct the Public Authority to pay compensation to him since he came to attend the Commission on the date of hearing from Dhenkanal and for that suffered a loss of Rs.300/-.
2. The Opposite Parties submit that the information sought for by the Complainant has been duly provided to him within the time prescribed u/S 7 of the Act, 2005 and therefore no legal lapses have been committed by them. It is the Complainant who has the case before the State Commission and he was noticed by the Commission to enter appearance on the said date. If he appeared before the State Commission subject to the process issued by the Commission, there appears no logic for him to claim compensation from the Public Authority. The OP's also produced the register maintained by them relating RTI cases where from it is seen that the information sought for by the applicants have been provided to them within the time prescribed u/S 7 of the RTI Act, 2005. Mere presence of the Complainant before the State Commission at Bhubaneswar is no ground to allow compensation to him.

Moreover the complaint has the statutory option under Rule 9(2) of the Orissa Information Commission (Appeal Procedure) Rules, 2006 either to remain present or absent. It was also open to him to exercise this above option.

3. For reasons aforesaid the claim for compensation piloted by the Complainant is found to be devoid of merit and hence the complaint petition is rejected.

Pronounced

Given under the hand and seal of the state Commission, this the 15th day of September, 2006.

Narayan Chandra

SIC

