

BEFORE THE ORISSA INFORMATION COMMISSION  
BHUBANESWAR

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

23rd August, 2006

**Complaint Case No. 80/2006**

Sri Bhikari Charan Mohanty  
At-Badabaranga  
PO-Sri Baladev Jew, Kendrapara  
Kendrapara District.....Complainant

-Vrs-

1. Public Information Officer  
Circle Inspector of Schools  
Kendrapara
2. Smt. Priti Prativa Bhol  
1st Appellate Authority-cum-  
Circle Inspector of Schools  
Kendrapara.....Opposite Parties

**Decision**

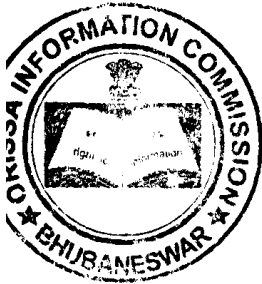
Complainant Sri Bhikari Charan Mohanty is absent. Sri Baladev Mahali, PIO (Opposite Party No.1) and Smt. Priti Prativa Bhol, 1st Appellate Authority (Opposite Party No.2) are present. As provided in the Orissa State Commission (Appeal Procedure Rules) 2006, absence of the Complainant will not adversely affect the hearing of the case in as much as he has an option either to be present or not to be present during hearing.

2. Perused the compliant petition dt. 26/05/2006 which was filed by the Complainant in the form of Second Appeal and after scrutiny converted as a Complaint case.
3. It reveals from the compliant petition that the Complainant sought for information from the PIO (Opposite Party No. 1) by mentioning in format 'A' that the information needed has been indicated in a separate sheet attached to it. The PIO (Opposite Party No. 1) found that the said attached separate sheet has not been signed by the Complainant. Accordingly he intimated him on 20/01/2006 to append his signature on the said separate sheet. The Complainant signed the same on 17/02/2006.

4. The Complainant waited 30 days but when he did not receive the information moved the 1<sup>st</sup> Appellate Authority (Opposite Parties No. 2) presuored on 18/03/2006. It reveals from the submissions of the Opposite Parties and also from the case record that the information has been provided on 30/03/2006. It may be presumed that the Complainant is absent today as because he has been provided with the information he needed.
5. While computing to period of 30 days from the date of removal of defect i.e. 17/02/2006 the State Commission find a delay of about 13 days in providing information to the Complainant.
6. Both the Opposite Parties pray that they may be excused for the unintentional delay caused by them. On a query they indicated that no other applications for information has been left unattended and they are scrupulously following the mandatory provision of Section 7 of the Act.
7. The State Commission after having considered the delay caused in providing the information and the above good conduct that all other cases are attended in time by the Opposite Parties feel it just and equitable not to press the rigors of the provisions of penalty enshrined u/S 20 of the Right to Information Act, 2005
8. With the above observations the complaint case is disposed of.

**Pronounced**

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



Hon'ble SCIC

22.8.06