

MEGHALAYA INFORMATION COMMISSION

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Case No. MIC/Appeal/27/2008

Shri Dilip Soni, Journalist, Shop No. 34, Press Complex, - Appellant
Transportnagar, Korba, Chatisgarh.

-Vrs-

(1) Director, A.H. & Vety., Govt. of Meghalaya, Lumdiengjri, |
G.S. Road, Shillong, 793002, (First Appellate Authority) |
(2) Jt. Director, A.H. & Vety., Govt. of Meghalaya, Lumdiengjri, | Respondents
G.S. Road, Shillong, 793002, PIO

27-6-2008:

ORDER

The Appellant in this case is Shri Dilip Soni. He had moved this appeal petition before the State Information Commission on 14-4-2008. The appeal petition was received in the Commission on 25-4-2008.

According to the Appellant, he addressed an RTI Application to the Respondent No. 2 viz., the Jt. Director, A.H. & Vety., Govt. of Meghalaya, Lumdiengjri, G.S. Road, Shillong – 793002 and PIO on 29-12-2007, requesting for information/documents concerning purchases of medicines/instruments for the year 2004-2005 upto 2007-2008 along with the application fee of Rs.10/- vide Postal Order No. 66E884254 dated 29-12-2007. Failing to receive any response from the PIO/Respondent No. 2, he preferred the first appeal before the Respondent No. 1 who is the First Appellate Authority. Failing to receive any decision by the Respondent No. 1 on his appeal he had preferred the instant second appeal with the Commission.

During the first hearing of the appeal on 13-6-2008, the Respondent No. 1, Dr D.Khonglah, Director, A.H. & Vety., Govt. of Meghalaya and First Appellate Authority denied having received any appeal petition from the Appellant. The Commission had directed the Respondent to re-verify from his own office and another sources including the local Post Office and place before the Commission his findings through an affidavit.

Respondent No. 2 - the PIO stated before the Commission that he received the application for information dated 29-12-2007 from the Appellant on 9-1-2008 he made the information ready but could not sent it to the Appellant as complete address of the Appellant like the Pin Code, full name of the State and contact number was not available in his application. The Respondent No. 2 also denied any intention to refuse access to the information requested by the Appellant. The Commission had required him to state the grounds for non-furnishing the information through an affidavit and place the same before the Commission and to send the information forthwith to the address given by the Commission.

During the final hearing of this Appeal on 27-6-2008, the affidavit furnished by both the PIO and the First Appellate Authority are available with the Commission. According to Respondent No. 1, Dr. D.Khonglah, Director, A.H. & Vety., Govt. of Meghalaya and First Appellate Authority, he learnt about the appeal filed by Shri Dilip Soni only when he received a summon from State Chief Information Commission, as he did not receive any appeal earlier. He had verified from his office registers and found no entry in the office receipt register of any such appeal from Shri Dilip Soni. He made an enquiry from the local Post Office and it was found that the said letter had been dispatched by the local Post Office and received by somebody. Attempts were made to locate the document but it was not traceable. There is no record of entry of that letter in the office receipt register. On verification with the Post Office, the initials of the person who received the letter did not tally with the initials of the office Receptionist; or of any of the staff working in his office.

Respondent No. 2 viz., the PIO reiterated his earlier statement that there was no intention to deny or refuse information to the Appellant. However, failure to dispatch the information which has been made ready in time was occasioned by lack of full address of the applicant and his contact number to establish contact with him. He also mentioned that the information was furnished to the Appellant as per direction of the Commission vide Order No. MIC/Complaint/27/2008/5 dated 13-6-2008 on 16-6-2008 by Speed Post to the address directed by the Commission, viz.,

**‘Shri Dilip Singh Soni,
Journalist,
Shop No. 34, Press Complex,
Transportnagar, Korba,
Chatisgarh’**

The Commission verified from the records available and it was seen that the Appellant had omitted to give the Pin Code No. of his Post Office and also the full name of the State to which he belonged. In addition he did not leave any contact number. Under Section 6(2) of the RTI Act it is incumbent upon the applicant making the request for information to give his personal details which are necessary for contacting him. In the instant appeal, the Appellant has not given any information for contacting him like Telephone No. etc. and the address given by him also appears to be incomplete, since neither the Postal index No. of the Post Office nor the full name of the State to which he belonged, was given. The Commission is of the firm view that such application with incomplete address and without contact number should be discouraged. Since the information requested for has already been sent to the Appellant at the address furnished by the Commission, the case does not warrant further intervention by this Commission.

Inability of the Respondent No. 1 viz., the First Appellate Authority to locate in his office, the appeal petition which had been duly received by somebody raised a lot of doubt as to proper management of records in the office of the Director, A.H. & Vety., Govt. of Meghalaya. The Director, A.H. & Vety., is advised to given proper training to his office staff to maintain proper record so that such incidence of loss/non-receipt of records dispatched by the Post Office, do not occur in future.

The Appeal is disposed of as above.

(G.P.Wahlang)
C.I.C.

Memo No.MIC/Appeal/27/2008/8-A,

Dated Shillong, the 27th June, 2008

Copy to:-

1. The Appellate Authority, viz., the Director, A.H. & Vety., Govt. of Meghalaya, G.S. Road, Shillong.
2. The P.I.O., A.H. & Vety., Govt. of Meghalaya, G.S. Road, Shillong.
3. Shri Dilip Soni, Journalist, Shop No. 34, Press Complex, Transportnagar, Korba, Chatisgarh.

(P.T.Rani)
Under Secretary,
State Information Commission,
Meghalaya, Shillong.