

**MEGHALAYA INFORMATION COMMISSION, SHILLONG**

...

**No.MIC/APPEAL/46/2008/3**

Shri S.K.Singh, ..... - Appellant

-Vrs-

Branch Manager, Meghalaya Cooperative Apex Bank, Shillong - Respondent

**22-7-2008**

**ORDER**

The appellant in this case, is one Shri S.K.Singh, C/o Limbu Compound, Barapathar, Shillong – 2, (Retd.) Sanitary Inspector, NEHU. He has requested for certain information from the Branch Manager, Meghalaya Cooperative Apex Bank Ltd., Shillong Branch, Shillong on 28-5-2008. The appellant did not enclose a copy of application for information addressed to the Branch Manager of the Meghalaya Cooperative Apex Bank, Shillong Branch, Shillong but stated that the information relates to grand-in-aids received by Madan Laban Nepali Secondary etc., School, Shillong.

From the records available, it appears that the Branch Manager, Meghalaya Cooperative Apex Bank Ltd., Shillong Branch, Shillong vide his letter No. MCAB/SH-PR/RTI-2005-2008/1536 dated 25-6-2008 communicated his decision on the RTI application within the time specified by Law, stating that the information requested for is exempted under section 8(1)(e) of the RTI Act, 2005. Under the provisions of RTI Act, the citizen can approach the Commission by way of a complaint as provided under section 18(i) of the RTI Act on the grounds specified under sub-clauses (a),(b),(c),(d),(e),(f) of the Law. He can also approach the Commission through an appeal under section 19(3) of the RTI Act if he does not received a decision within the time specified by Law or is aggrieved by a decision of the PIO/DAA.

In the instant case, the petition was made in a casual form, scribbled on a sheet of paper and did not clearly stated whether it is an appeal or a complaint but the petitioner has approached the Commission with a request to instruct the PIO of the Bank to issue the information requested for. Prima-facie, the appellant-petitioner has expressed a grievance against the decision of the Branch Manager of the Bank (PIO). The matter therefore qualifies for an appeal under section 19(1) of the RTI Act. Such being the case, the correct procedure should be to prefer the first appeal before the Designated Appellate Authority under section 19(1) of the RTI Act against the decision of the Branch Manager/PIO.

The Commission noted that the petitioner having failed to state the nature of his petition, he has also not cared to furnish all relevant back papers/references as required under the Right to Information (Appeal and Procedure of the State Information Commission) Rules – 2007, issued by the Govt. of Meghalaya. Such incomplete appeal and incomplete details are to be discouraged.

However, there is no scope for any intervention by the Commission at this stage. The appellant may approach the First Appellate Authority at the first instant, if he is not satisfied with the decision of the Branch Manager/PIO. He is at liberty to approach the Commission by way of a Second appeal, if necessary.

The appeal petition thus disposed of.

**( G.P.Wahlang )**

**C.I.C.**

**Dated Shillong, the 22<sup>nd</sup> July, 2008**

**Memo.No.MIC/APPEAL/46/2008/3-A**

Copy to:-

- (1) Shri S.K.Singh, C/o Limbu Compound, Barapathar, Shillong – 2.
- (2) The Branch Manager, Meghalaya Cooperative Apex Bank, Ltd., Shillong Branch, Shillong.

**( P.T.Rani )**

Under Secretary,  
Meghalaya Information Commission,  
Shillong.