

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Appeal/100/2009/6,

Shri K.F.Rangad, Queen Ville, Laban, Shillong - Appellant

- Vrs -

The Secretary, Raid Laban College Society, Shillong - Respondent

28-10-2009

ORDER

Seen appeal petition dated 26-10-2009 received from the appellant, Shri K.F.Rangad of Laban, Shillong.

The case of the appellant is that, vide his R.T.I. application dated 27th July, 2009, he had sought certain information from the Raid Laban College Society, Shillong and the same was duly received by the Principal of the College along with the application fee. He, however, did not receive any decision from the P.I.O. till date. Hence his second appeal before this Commission.

The Commission examined the matter. Section 19(1) of the R.T.I. Act guarantees the right of appeal to any person who have applied for information under the R.T.I. Act but does not receive any decision within the statutory period as specified in Sub-Section (1) or clause (a) of Sub-Section (3) of Section 7, or is aggrieved by the decision of the P.I.O. In all such cases the information seeker should appeal to the First Appellate Authority who is an officer senior in rank to the P.I.O. in the Public Authority. The information seeker may approach the Commission by way of a Second Appeal against the decision made by the First Appellate Authority under section 19(3) of the Act.

In the instant case, such First Appeal does not seem to have been made by the appellant before the appropriate Appellate Authority. The First Appeal if any made by him before the date of the above R.T.I. application dated 27-7-2009 can not be treated as First Appeal for the instant case. Any appeal can only relate to the R.T.I. application at hand. The instant appeal preferred before this Commission, is therefore, not in tune with the provisions of the Law.

Appeal petition is rejected.

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

Memo.No.MIC/Appeal/100/2009/6 -A

Dated Shillong, the 28th October, 2009

Copy to:-

1. The P.I.O., Raid Laban College Society, Shillong.
2. Shri K.F.Rangad, Queen Ville, Laban, Shillong.

(S.F.Khongwir)

Secretary,
Meghalaya Information Commission,
Shillong.