

MEGHALAYA INFORMATION COMMISSION, SHILLONG

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No.MIC/Appeal/4/2009/8,

(1) Shri M.Kharmynthon, Rynjah Village, Housing Colony, Shillong }
(2) Smti Linda M.Marbaniang, Jaiaw Shyiap, Shillong. } Appellants

-Vrs-

(1) Shri P.War, PIO, M.P.S.C., Shillong }
(2) D.A.A., M.P.S.C., Shillong } Respondents

14-1-2009

ORDER

Perused the Second Appeal dated 6-1-2009 filed by Shri M.Kharmynthong of Rynjah Village Housing Colony and Smti Linda M.Marbaniang of Jaiaw Shyiap St.Joseph Dispensary, Jaiaw, Shillong received in the Commission on 7-1-2009. According to the Appellants they have filed an RTI application before the PIO, Meghalaya Public Service Commission, Shillong vide their application dated 1-10-2008. Failing to receive any response from the PIO within the statutory period of 30 days they had preferred the First Appeal before the DAA on 24-11-2008. Subsequently the PIO furnished them the information on 25-11-2008. It also appears that the DAA has not taken any decision on their Appeal dated 24-11-2008 that was filed before him prior to receipt of the information by them from the PIO, assuming perhaps that the information sought sufficed their requirement. The Appellants has approached the Commission for penalizing the PIO for delayed supply of the information, and for ordering the PIO to furnish the information which according to them, the PIO has wrongly claimed exemption under section 8 of the Right to Information Act.

From the sequence of events shown in their application, it appears that the First Appeal before the DAA was made before they received the delayed information from the PIO.

Having examined the matter, the Commission does not consider it appropriate to entertain the Second Appeal in the present form and advised the Appellants to first approach the DAA of the Public Authority with the First Appeal based on the information they have already received from the PIO. They are at liberty to prefer the Second Appeal before this Commission along with the decision of the First Appellate Authority, if necessary, or after a period of 30 days from the date of making the Appeal before the DAA.

Case disposed of as above.

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

Memo.No.MIC/Appeal/4/2009/8-A

Dated Shillong, the 14th January, 2009

Copy to:-

- (1) D.A.A., Meghalaya Public Service Commission, Shillong.
- (2) Shri P.War, P.I.O., Meghalaya Public Service Commission, Shillong.
- (3) Shri M.Kharmynthon, Rynjah Village, Housing Colony, Rynjah, Shillong, Phone 98562-22493.
- (4) Smti Linda M.Marbaniang, Jaiaw Shyiap behind St. Joseph Dispensary, Jaiaw, Shillong, Phone 98630-23812.

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