

**MEGHALAYA STATE INFORMATION COMMISSION,
SHILLONG**

...

No.MIC/Appeal/41/2009/12,

Shri Hubert M.Binan of Nongmynsong, Umkdait,
(Near Bading School), East Khasi Hills

- Appellant

-Vrs-

(1) S.E., PHE, Greater Shillong Water Supply Circle,
Shillong, (P.I.O.)

(2) Addl. Chief Engineer, PHE, Zone – I, Shillong, (D.A.A.)

} Respondents

29-5-2009

ORDER

The Respondent-PIO is present in the Commission today and also the Appellant. Heard the Respondent-PIO who submitted that the Appellant had first filed an R.T.I. application dated 7-1-2009 regarding the information relevant in the present case. According to the Respondent-PIO he had vide letter No.SE/PHE/GS/ESSTT/21/2008-09/8/27 dated 9-1-2009 requested the Appellant to collect the information after paying the requisite fee. On payment of the requisite fee on 5-2-2009 the information was made available to him on 11-2-2009. Subsequently the Appellant had filed for additional information under R.T.I. vide his application dated 16-2-2009 which was received by him on 20-2-2009. However, the Appellant did not furnish the requisite application fee of Rs.10/- as provided by Law and as such the information applied for has not been furnished to him for which the Appeal was made before the F.A.A. and then before this Commission.

Heard the Appellant he admitted the position as submitted by the Respondent-PIO and claim that his application dated 16-2-2009 was for additional information and he did not furnish any fee thinking that it is not necessary for additional information on the same subject matter.

Under the provisions of the R.T.I. Act once an information was furnished by the Respondent-PIO, if the Appellant is not satisfied with it or is of the opinion that it is false/misleading he can file an Appeal before the D.A.A. or a Complaint before the Commission. This is a procedure prescribed by Law for obtaining factual and complete information from the Respondent-PIO. In the instant case, it appears that the Appellant is satisfied with the information furnished by the Respondent-PIO but wanted additional information in addition to the information which he had already got through a duly filed R.T.I. application. Under the R.T.I. Act there is no provision for furnishing additional information to the Appellant over which he had requested and if any further information required even on the same subject matter he is at liberty to file a fresh R.T.I. application, asking for specific information from the Respondent-PIO. In the instant case, since the fee of Rs.10/- has not paid by the Appellant to the Respondent-PIO the application dated 16-2-2009 is invalid.

Understanding the information sought by the Appellant is under the custody of the office of the Chief Engineer, PHE, the Appellant is at liberty to file fresh R.T.I. application to the PIO, office of the Chief Engineer, PHE, Meghalaya, Shillong along with the requisite fee for the purpose.

Case disposed off.

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

Memo. No.MIC/Appeal/41/2009/12-A

Dated Shillong, the 29th May, 2009.

Copy to:-

- (1) The D.A.A., Addl. Chief Engineer, PHE, Zone – I, Shillong
- (2) The P.I.O. o/o Superintending Engineer, PHE, Greater Shillong Water Supply Circle, Shillong.
- (3) Shri Hubert M.Binan of Nongmynsong, Umkdait, (Near Bading School), East Khasi Hills (Phone – 98560-65066).

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