

**MEGHALAYA STATE INFORMATION COMMISSION,  
SHILLONG**

...

**No.MIC/Appeal/44/2009/11,**

Smti Sidramon Mukhim of Diengpasoh Village, East Khasi Hills - Appellant

-Vrs-

(1) Deputy Commissioner (Revenue) East Khasi Hills District (D.A.A.)  
(2) Addl. Deputy Commissioner in-charge Revenue East Khasi (P.I.O) } Respondents

**29-5-2009**

**ORDER**

Both the Respondents are present in the Commission today. The Appellant is also present.

The case of the Appellant is that vide application dated 20-3-2009 she had made a request for specific information from the Respondent-PIO. The Respondent-PIO vide letter No. L/14/6(26)/2005/116 dated 26-3-2009 responded to her application. Not satisfied with the response/information received by her from the P.I.O., she preferred the First Appeal before the First Appellate Authority viz., the Deputy Commissioner, East Khasi Hills, Shillong on 21-4-2009. She had also received the decision of the Appellate Authority conveyed to her vide letter No. L/14/6(26)/2005/119 dated 1-5-2009. Not satisfied with the response of the First Appellate Authority she had preferred the instant Second Appeal before the Commission.

The issues for decision by the Commission are as follows:

- (1) Whether the information requested by the Appellant has been made available to her by the Respondent-PIO.
- (2) Whether the D.A.A. has made available the information requested by the Appellant.

Having examined the matter in detail and having heard both the Respondents and also the Appellant the findings of the Commission are:

(a) The first item of the information sought relates to copy of the documents or records based on which payment of compensation of Rs. 3,09,76,465 to the Sordar of Diengpasoh for the land acquired at Diengpasoh was made. According to the Respondent-PIO he had already furnished to the Appellant the Surveyed Map of the road and the land through which it passes at Diengpasoh village. According to the surveyed-Map, the road passes through a village land of the Diengpasoh village and the land of Smti Ibaiadei Kharsati only. There is no claim or objections received in time by the Collector who acquired the land under the Land Acquisition Act. Hence the amount of compensation was paid to the Sordar of Diengpasoh Village for the Village land and to Smti Ibaiadei Kharsati, the only

other land owner. The Appellant wanted some more documents on the payment of compensation on the land namely,

- (i) The Declaration under Section 6 of L.A. Act.
- (ii) Receipt of payment of compensation amount by the land owners/Sordar of Diengpasoh.

The Respondents agreed that the documents are available and will be supplied to the Appellant.

(b) The second item of information requested for relates to letter of Authority given by the land owners of Diengpasoh village to Sordar of Diengpasoh village to receive the compensation money. The Respondents stated the requested information does not exist and therefore it could be given to the Appellant.

(c) Copy of the records showing the amounts of compensation money received by the land owners from the said Sordar of Diengpasoh. The Respondent-PIO stated that the information does not exist in his record. The land belongs to the Village community and it is upto the village community to decide among themselves who would receive what amount from the compensation paid to the Village Sordar for the cost of acquisition of the village land.

(d) The fourth item relates to copy of land records documents produced by Smti Ibaiadei Kharsati for the claim of the compensation to her land and the amount paid to her. The Respondent-PIO submitted that under the L.A. proceedings no records were collected from land owners. Every complaint and objection is settled on the spot through the process of local enquiry only and such matter are disposed off with the help of the village Sordar or village headman. However, amount of compensation paid to her is reflected in the payment register of compensation.

(e) The fifth item of information sought relates to copies of land records land documents on which payment of compensation of Rs.2,26,975 to Shri Tir Surnah was based. The Respondent-PIO stated this relates to a different land acquisition case; therefore the information requested has not been furnished as no such amount of compensation was paid to Shri Tir Surnah under the present L.A. proceedings.

(f) The sixth item of information relates to the documents based on which compensation to 17 named land owners was denied. The Respondent-PIO submitted that no such documents/information exist in his record. Compensation under the Law has been duly made to the landowners who preferred claim and objection at the time when such claim and objection under the Law had been called from interested persons.

It is made clear by the Commission that any grievances against the L.A. proceedings will not fall within the purview of the R.T.I. Act and the Appellant is free to agitate at the appropriate forum. So far the R.T.I. Act is concerned the Appellant is guaranteed by Law to receive information which are available with the Public Authority. Accordingly the Commission decided as follows:

Within the period of 10 days from the date of this Order the Respondent-PIO will furnish the following information to the Appellant free of cost.

- (i) A copy of the Declaration under section 6.
- (ii) Photo copy of relevant portion of the payment register and the amount of compensation to the land owners/Sordar of Diengpasoh Village.
- (iii) Copy of relevant portion of payment register of compensation to Smti Ibaiadei Kharsati and the amount paid to her.
- (iv) Copy of the surveyed Map of the land of Shri Tir Syrnah at Diengpasoh Village for which an amount of Rs.2,26,975 was paid to him in 2002.

The Commission accepted the claim of the Respondent-PIO/Respondent-D.A.A. that items 2, 3 and 6 of the application for information do not exist.

While parting with the case, the Commission would like to advise the Respondents that response to R.T.I. applications should be against each item of information requested and that information which does not exist should be clearly indicated as such.

Case disposed off.

**( G.P.Wahlang )**

**C.I.C.**

**Memo. No.MIC/Appeal/44/2009/11-A**

**Dated Shillong, the 29<sup>th</sup> May, 2009.**

Copy to:-

- (1) The Deputy Commissioner (Revenue), East Khasi Hills District (D.A.A.)
- (2) The Addl. Deputy Commissioner in-charge Revenue East Khasi District (P.I.O)
- (3) Smti Sidramon Mukhim, Secretary, Seng Bhalang Ki Long Kmie, Ka Shnong Diengpasoh, Diengpasoh Village, East Khasi Hills (Phone – 98632-81294)

**( P.T.Rani )**

Under Secretary,  
Meghalaya State Information Commission,  
Shillong.