

**MEGHALAYA STATE INFORMATION COMMISSION,
SHILLONG**

...

No. MIC/Appeal/62/2009/36.

Shri S.K.Singh, Barapathar, Shillong

- Appellant

-Vrs-

(1) Headmaster, Madan Laban Nepali Secondary School, Shillong (PIO)

(2) Inspector of Schools, East Khasi Hills, Shillong (DAA)

} Respondents

6-10-2009

ORDER

Vide Order dated 16-9-2009, this Commission has directed the Respondent-PIO to furnish complete information to the appellant within a period of 10 days' time from the date of the Order and to show cause why penalty should not be imposed upon him for furnishing incomplete information. The P.I.O. complied with the above Order of the Commission vide letter No.NHS/SEC/RTI/2009/09 dated 22-9-2009 and also responded to the show cause vide letter No.NHS/SEC/RTI/2009/11 dated 6-10-2009.

The appellant vide letter dated 5-10-2009 complained before the Commission that the P.I.O. furnished him zerox copies of Bank Pass Books of M.C.A.B., Bishnupur Branch, Shillong only and not the Bank Accounts of other Banks. He also submitted that the P.I.O. did not furnish him further information on authorization letters.

The matter has been re-examined by the Commission on the claim of the Respondent-P.I.O. that the R.T.I. application filed before the him had created a lot of confusion which resulted to incompleteness of some of the items of information furnished.

The original R.T.I. application No.1108/SKS/RTI/05/155 dated 3-3-2009 was addressed by the appellant to the P.I.O. and acting honorary (H.M.) Madan Laban Nepali, LP/ME/HE School, Madan Laban, Shillong. The Head Master, Madan Laban Nepali, LP/ME/HE School is the P.I.O. only for the Higher Secondary Section of the School. Therefore, the act of addressing him as P.I.O. for the LP/ME Sections of the School also, over which sections he is not the P.I.O., is bound to create confusion in the mind of the P.I.O. Secondly, the appellant has requested information on zerox copies of Bank/P.O. Pass Book operated in the above school for the funds obtained from Govt. financial institutions for the period 2001 – 2005. Since the Head Master is not the P.I.O. of the LP & ME Section of the School it is not incumbent upon him to furnish such information on the LP & ME Sections of the School.

Having thus re-examined the matter, the Commission decided that the reply to the show cause is reasonable and hence accepted by the Commission.

Since the original R.T.I. application filed by the appellant specifically relates to funds received from the Govt. institutions only, the P.I.O. is within his right to deny information of such Bank Accounts which operates school funds obtained from other sources. In the instant cases, the appellant has not produced any evidence to show that the School also maintains accounts of such funds in other banks, to prove denial of information to him.

Regarding authorization letter for operating Bank Accounts, the Head Master-cum-PIO has already stated that he has furnished the information whatever existed on record and he did not deny any information available with him.

In view of the above findings, the Commission decided to close the case and to impress upon the appellant to be specific while requesting for information, to avoid any possible confusion in the mind of P.I.O./Public Authority while furnishing information.

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

Memo. No. MIC/Appeal/62/2009/36-A Dated Shillong, the 6th October, 2009
Copy to:-

- (1) Headmaster, Madan Laban Nepali Secondary School, Shillong (PIO)
- (2) Inspector of Schools, East Khasi Hills, Shillong (DAA)
- (3) Shri S.K.Singh, C/o Limbu Compound Barapathar, Shillong – 2.

(S.F.Khongwir)
Secretary,
Meghalaya State Information Commission,
Shillong.