

MEGHALAYA INFORMATION COMMISSION, SHILLONG

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No. MIC/Complaint/107/2009/43,

Peterlawford Marak, Asananggre, P.O. Rongram, Tura - Complainant

-Vrs-

B.D.O., Rongram C.D. Block, West Garo Hills - P.I.O. - Respondent

ORDER

2-12-2009: The Respondent-PIO is present in the Commission today. The complainant is however absent.

The Respondent-PIO filed a show cause.

Heard the Respondent-PIO who submitted that he has furnished the information to the complainant vide letter No. RDB(A)-04/RTI/NREGS/2009/182 dated 25-11-2009.

According to him he knew and believed that as the B.D.O., Rongram C.D. Block he is the PIO under NGEGA Guideline issued by the State Govt. of Meghalaya. He, however, believes that he is an APIO under the P.D., DRDA as PIO for all others subject dealt with by the C.D. Block. That, on receipt of information request from the complainant he has sent the application for information to the P.D., DRDA, West Garo Hills, Tura vide letter No. RBA-04/RTI/NREGS/2009 dated 02-9-2009 for necessary action and that he had already furnished to the complainant information at item 1 (b) of his application on 26-08-2009 itself. According to him, he had no intention to deny information to the complainant.

Having heard the submission of the Respondent-PIO, the Commission decides as follows:

- (1) The Commission accepts his plea that he has not received any communication from the Govt. making BDO, Rongram C.D. Block as PIO for all subjects dealt with by the C.D. Block which he believes he is the only APIO under the Law. The Commission therefore, does not

hold him liable for penalty for the delay of information on item 1 (a) and 4 of the R.T.I. application filed by the complainant.

- (2) The Commission accepts his plea that he has furnished the information on item 1(b) of the R.T.I. application for which he is the P.I.O.

Having duly considered the matter, the Commission is convinced that the Respondent-PIO has incurred a delay of 60 days i.e. w.e.f. 26-9-2009 to 25-11-2009 for furnishing information at item 3 of the R.T.I. application. He is, therefore, liable for a penalty accordingly to Law. The Commission, decided to award on him a penalty of Rs.3750/- (Rupees three thousand seven hundred and fifty) only for delay in furnishing part of the information requested by the complainant. The above amount should be deposited under the Head of Account **“0070-Other Administrative Services etc., 60-Other Services, 118-Receipt under the Right to Information Act, 2005 Volume – I (02) Fees & Fines for the Penalty Amount Imposed by the Commission”** through Treasury Challan at the Treasury, Tura, West Garo Hills within 30 days of the date of this Order, with intimation to this Commission.

Case disposed of.

(G.P.Wahlang)

Chief Information Commissioner,
Meghalaya, Shillong.

Memo. No. MIC/Complaint/107/2009/43-A Dated Shillong, the 2nd December, 2009

Copy forwarded to:-

- (1) The B.D.O., Rongram C.D. Block, West Garo Hills for necessary action.
- (2) Shri Peterlawford Marak, village Asananggre, P.O. Rongram, West Garo Hills District.

(S.F.Khongwir)

Secretary,
Meghalaya Information Commission,
Shillong.