

# **ANNUAL REPORT**

**2007**

**Meghalaya State Information Commission,**

**Shillong, Meghalaya**

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## Meghalaya State Information Commission

### Annual Report – 2007

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**CHAPTER – 1**  
**INTRODUCTION**

The Right to Information Act was enacted by the Parliament and received the assent of the President of India on June 15, 2005. It was subsequently published in the Gazette of India on June 21, 2005 covering the whole of India except the State of Jammu and Kashmir. Some of the provisions of the Act namely, Subsection (1) of Section 4, Subsection (1) & (2) of Section 5, Sections 12, 13, 15, 16, 24, 27 and 28 came into force at once, other provision of the Act came into force one hundred and twenty days latter. Therefore, practically the Right to Information Act has entered its second year of operation in 2007 in the State.

Section 25 of the Right to Information Act, 2005 requires the State Information Commission to prepare a Report on implementation of the provisions of the Act during that year, as soon as practicable, after the end of each year and forward a copy thereof to the appropriate Govt. The Act also enjoins upon all Departments of the State Govt. to collect all relevant information from the public authorities within their jurisdiction and provide the same to the State Information Commission to prepare the Annual Report for the year.

The Law requires that the Annual Report should contain following information among other things, viz.,

- (i) the number of requests made to each public authority.
- (ii) the number of decisions where applicants were not entitled to access to the documents pursuant to the requests, the provisions of this Act under which these decisions were made and the number of times such provisions were invoked.
- (iii) the number of appeals referred to the State Information Commission for review, the nature of the appeals and complaints and the outcomes.
- (iv) particulars of any disciplinary action taken against any officer in respect of the administration of the Act.
- (v) The amount of charges collected by each public authority under this Act.
- (vi) Any facts which indicate an effort by the public authorities to administer and implemented the spirit and intention of this Act.

(vii) Recommendation for reform, including recommendations in respect of the particular public authorities, for the development, improvement, modernization, reform or amendment to this Act or other legislation or common laws or any other matter relevant for operationalising the right to access information.

The State Govt. may as soon as practicable at the end of each year cause a copy of the Annual Report of the State Information Commission to be laid before the State Legislature.

The Act also empowers the State Information Commission to make a recommendation to any public authorities specifying the steps which ought, in its opinion to be taken, for exercising its function under this Act in conformity with the provisions or spirit of the Act.

The present Report is the Second Annual Report to be prepared by the Meghalaya State Information Commission in pursuance of the above provisions of the Act. While focusing is made on the legal requirements, certain information has also been included in the Report which are considered useful to the users of the law in general.

The Meghalaya State Information Commission is pleased to present to the State Govt. of Meghalaya its Second Annual Report for the period from 1<sup>st</sup> January, 2007 to 31<sup>st</sup> December, 2007.

## CHAPTER - 2

### **THE MEGHALAYA STATE INFORMATION COMMISSION**

#### **2.1 FUNCTIONS:**

The Meghalaya State Information Commission has been constituted under Section 15(1) of the Right to Information Act, 2005 vide Govt. of Meghalaya Notification No. IPR.48/2005/Pt.II/10 dated 3-10-2005 with its headquarters at Shillong. The Notification was subsequently revised and the date of the constitution of the Commission was w.e.f. 7-10-2005 vide Notification No. IPR.48/2005/52/11. The Meghalaya State Information Commission is a single Member-Commission. The State Chief Information Commissioner (SCIC), Shri G.P.Wahlang, IAS (Retd.) was appointed by the Govt. of Meghalaya vide Notification No. PER.42/2005/PT/48 dated 28-2-2006 and assumed charge of the office of the State Chief Information Commission on 3-3-2006.

The State Information Commission mandate is to exercise the powers conferred on, and to perform the functions assigned to, it under the RTI Act, 2005. Section 15(4) of the Act stipulates that general superintendence, direction and management of the affairs of the State Information Commission shall vest in the State Chief Information Commissioner: and may exercise all such powers and does all such acts and things as may be exercised or done by the State Information Commission autonomously, without being subjected to the directions by any other authority under the Act.

The Act enjoins upon the State Govt. to provide the State Chief Information Commissioner with such officers and employees as may be necessary for the efficient performance of his functions under this Act and the salaries payable to and the terms and conditions of service of the officers and other employees appointed for the purpose of this Act shall be such as may be prescribed.

The following posts have so far been created by the State Govt. namely:

Sl. No.	Designation of the posts	No. of posts sanctioned	No. of posts filled
1.	State Chief Information Commissioner	1	1
2.	Secretary	1	1
3.	Under Secretary	1	1
4.	Sr. P.S. to C.I.C.	1	1
5.	Jr. P.S. to C.I.C.	1	-
6.	Superintendent	1	1
7.	U.D.A	1	1
8.	L.D.A	1	-
9.	Driver	1	1
10.	Peons	2	2

## 2.2 OFFICE ACCOMMODATION:

The State Govt. vide office Order No. GAA.116/69/1319 dated 29-5-2007 had allotted 6(six) rooms on the first floor of the New Administrative Building at Lower Lachumiere, Shillong. The present official address of the Commission is, therefore, as follows:

**Meghalaya State Information Commission,  
Lower Lachumiere,  
Shillong – 793001,  
Meghalaya.**

## 2.3 NODAL GOVERNMENT DEPARTMENT:

The budget for the State Commission is published in the budget book pertaining to the Information and Public Relations Department, Govt. of Meghalaya. The Budget Head is Demand No.30-2220-Information & Public Relations, Plan, 60-others, 001 Direction and Administration (04) Meghalaya Information Commission (Right to Information Act).

#### **2.4 REPORTING TO WHICH AUTHORITY:**

Though the budget for the State Information Commission is published in the budget book pertaining to Information and Public Relations Department, Govt. of Meghalaya, the State Commission enjoys autonomy and only forwards its Annual Report under Section 25 (1) of the Act to the Meghalaya Govt. through the Nodal Department for laying the same before the Meghalaya Legislative Assembly.

#### **2.5 JURISDICTION:**

All Public Authorities as defined under the law functioning all over the State of Meghalaya and their offices outside the State are legally obliged to implement the provisions of the Act and are therefore under the legal jurisdiction of the State Information Commission, Meghalaya.

#### **2.6 MISSION:**

Ensure the citizens their rights to information from Public Authorities in accordance with the provisions of the Act.

#### **2.7 VISION:**

Transparent functioning of Public Authorities, accountability in their working, and containing corruption.

#### **2.8 OBJECTIVES:**

The objective of the Meghalaya State Information Commission is to fulfill the statutory mandate under the Right to Information Act, 2005.

#### **2.9 DUTIES:**

The State Information Commission functions as quasi-judicial body, to hear and adjudicate the complaints and appeals from citizens and to monitor and ensure implementation of the Act at various levels, in accordance with the provision of the Right to Information Act, 2005 read with Meghalaya Right to Information Rules framed by State Govt.



## 2.10 POWERS AND DUTIES OF OFFICERS AND EMPLOYEES OF THE MEGHALAYA STATE INFORMATION COMMISSION

Sl. No.	Designation	Powers and Duties
1.	State Chief Information Commissioner (SCIC), Meghalaya	General superintendence, direction and management of affairs of the Meghalaya State Information Commission, adjudication of complaints and second appeals from citizens and monitoring to ensure proper implementation of the Act at various levels.
2.	Secretary	Administrative matters of the State Information Commission and overall charge of the office of the Commission.
3.	Under Secretary	Receipt and registration of appeals/complaints and communication of Commission's Orders and jobs assigned by the State Chief Information Commissioner from time to time.
4.	Sr. P.S. to S.C.I.C.	Secretarial assistance and any other works assigned by the State Chief Information Commissioner.
5.	Jr. P.S. to S.C.I.C.	- do -
6.	Superintendent	General superintendence and discipline of office work, to provide assistance to the Secretary
7.	UDA/LDA	To provide secretarial assistance to the Superintendent
8.	Grade IV including Drivers	To perform duties as assigned to them by the Secretary in routine course.

## 2.11 PROCEDURE FOLLOWED IN DISPOSAL OF APPEALS AND COMPLAINTS UNDER RTI ACT, 2005

The Meghalaya State Information Commission receives complaints under the provision of Section 18 of the RTI Act, 2005. On receipt of the complaints from the citizens, complaints petitions are placed before the State Chief Information Commissioner who, on scrutiny of the cases may order an enquiry or may dismiss the complaints as deemed fit. The State Chief Information Commissioner generally required the attendance of the Public Information Officers/Public Authorities against whom a complaint has been received along with the record containing the required information; and after hearing the PIOs/Public Authorities,

and examination of the records arrived at a decision as per of the provision of the law. The Complainant/Appellant may choose to appear or not on the date of hearing as provided under Rule 7(2) of the Meghalaya Right to Information (Appeals & Procedure) Rules, 2007. The Complainant is however, informed of every date fixed for hearing, and copies of all Orders of the Commission are communicated to him.

The State Information Commission also receives appeals against Orders of the First Appellate Authority under Section 19 of the RTI Act, 2005. On receive of the appeals from the concerned citizens; the matter is placed before the State Chief Information Commissioner, who disposes the appeals as per the Meghalaya Right to Information (Appeals & Procedure) Rules, 2007. The Appellant may or may not appear on the date of hearing in terms of Rules 7(2) of the Appeals Procedure Rules. The Appellant is however, informed each and every date fixed for hearing the case. If, however, the Commission finds merit in the arguments put forth by the PIOs/Designated Appellate Authorities in denying the information, the Appellant is generally given the opportunity to present his case in person or through an agent duly authorized by him/her and after completion of such hearing the Commission gives its final decision and copies of all Orders of the Commission are also communicated to him.

In all cases of complaints and appeals, reports of compliance are called from the PIOs/DAAAs and cases are closed on receipt of compliance reports.

## **2.12 Rules & Regulations:**

The following Rules made by the Govt. of Meghalaya are implemented by the State Information Commission:

1. The Right to Information (Appeals & Procedures of the State Information Commission) Rules – 2007.
2. The Right to Information (Regulations and fee cost Rules – 2006) as amended.
3. State Organization exempted from the purview of this RTI Act.

They are reproduced as Annexure I, II & III at the end of this report.

### 2.13 NORMS SET FOR DISCHARGE OF THE FUNCTIONS ETC.

1. The Meghalaya State Information Commission has decided to ensure that all complaints/appeals presented before it by the citizens be disposed of within a period of 60 days.
2. The Commission envisages creation of district cells of the Commission to facilitate monitoring of implementation of the law and affording opportunities to complainants/appellants to submit their appeals to the Commission through the district cells.

### 2.14 Names and designation and particulars of the Information Officers

Sl.No.	Name of Public Authority	Name & Designation etc. of the Designated Appellate Authority	Name & Designation of the PIO
1.	Meghalaya State Information Commission.	Smti L.Kharkongor, IAS, Secretary, Meghalaya State Information Commission, <b>Phone –</b> 2500179 (Office) 2220251 (Res) <b>Address:</b> Lower Lachumiere, Shillong – 793001, Meghalaya.	Shri P.T.Rani, Under Secretary, Meghalaya State Information Commission, <b>Phone –</b> 2500179 (Office) 222025( Res) <b>Address:</b> Lower Lachumiere, Shillong – 793001, Meghalaya.

### 2.15 Annual Accounts of the Commission:

During the Financial year 2007-2008 the State Govt. made the following provisions in the budget viz.,

Sl. No.	Budget Head description	(In lakhs)	
		Budget 2007 – 2008	R.E. 2007 - 2008
	Grant No.30 2220, Information & Publicity – Plan 60. Other, 011, Direction and Administration 04 – Meghalaya Information Commission (RTI Act)	Rs.74.00	Rs.59.50
01	Salaries, Sumptuary Allowances	Rs.30.00	Rs.28.00
02	Wages	Rs.1.50	Rs.1.50
11	Travel expenses, conveyance allowances	Rs.5.50	Rs.5.00
13	Office expenses	Rs.10.00	Rs.5.00
16	Publications	Rs.5.00	Rs.5.00
21	Materials & Supplies, Store Equipments	Rs.10.00	Rs.5.00
51	Motor vehicles	Rs.10.00	Rs.8.00
52	Machinery & Equipments	Rs.2.00	Rs.2.00

The total expenditure incurred during the year was Rs.24.43 lakhs only. Some of the officers and staff are drawing their salaries from the Secretariat Department.

#### **2.16 Activities under taken by the Commission during the year:**

- (i) As already stated in the foregoing paragraphs, the main functions of the Commission are hearing and disposal of complaints and appeals received by it. During the year 2007, the Commission received 48 numbers of complaints and appeals. In addition, there were 9 number of cases spilled over from the previous year i.e 2006. There were all together 57 complaints and appeals for disposal by the Commission during the year. Out of these 57 cases, 56 were disposed of during the year and 1(one) case only was carried over to the year 2008. A detail of receipt and disposal of complaints and appeals by the State Information Commission has been given in Chapter – 3 of this Report.
- (ii) Besides the above statutory activities, the Commission had also devoted much of its time and attention towards establishment of new office in the newly acquired accommodation.

- (iii) During the year, the Commission had also attended review meetings, discussions and awareness campaigns. Some of the programmes attended by the State Chief Information Commissioner are as follows:

<u>Date</u>	<u>Place</u>	<u>Nature of Programme attended</u>
23-5-2007	Pinewood Hotel Shillong	Capacity building for MeSEB Engineers Associations’.
12-6-2007	Nongstoin, West Khasi Hills	Sensitization of district officials on RTI
14-6-2007	Nongpoh, Ri Bhoi District	Capacity building workshop of district Officials.
19-6-2007	Jowai, Jaintia Hills	- do –
11-10-2007	Nongstoin, West Khasi Hills	District-level workshop on RTI for officials and NGOs
17-10-2007	Delhi,	Annual RTI Conference
1-11-2007	Pynursla, East Khasi Hills	Awareness Campaign on RTI
28-11-2007	Tura, West Garo Hills	Capacity building workshop of district officials
29-11-2007	Williamnagar, East Garo Hills	- do –
6-12-2007	Jowai, Jaintia Hills	District-level workshop for district officials on RTI

- (iv) Appointment of PIOs and DAAs by Public Authorities. Many Departments of the State Govt. have not been able to identify and designate Public Authorities appropriately in line with the provisions of the Law. A series of meetings were held with the Govt. Departments to rationalize identification of public authorities and designation of DAAs/PIOs/APIOs to ensure equitable distribution of work and public convenience.
- (v) Preparation and publication of the first Annual Report of the Commission for the year 2006.

## CHAPTER – 3

### **3.1 Implementation of the Right to Information Act in Meghalaya during 2007:**

As stated at the beginning of this Report, the Act enjoins upon all Departments of the State Govt., and competent authorities to collect the relevant information from the public authorities under their jurisdiction and to provide the same to the State Information Commission for preparation of the Annual Report for the year. The data contained in the tables presented in the following sections of the Report are based on the information provided by the public authorities of concerned Govt., Departments and competent authorities and also the data available with the State Information Commission. The data presented in each table may not reflect correctly, a complete picture of the Right to Information activities that have taken place during the year as complete information from all public authorities in the State are not forthcoming. Certain Departments like C&RD Department, Education Department, Health & Family Welfare Department and other major Departments of the State did not receive complete information from each public authorities under them, in time. Therefore, whatever information as available with the respective Departments/competent authorities have been submitted to the Commission for preparing the Annual Report. The public authorities in the State have been urged upon to provide the relevant information in time for compilation of the Report. In fact, the Commission has requested all Departments as early as 12-10-2007 vide letter No. MIC. 26/2007/1 to furnish the relevant information, followed by reminder vide letter No.MIC. 26/2007/2 dated 27-3-2008. It is hoped that all the concerned Departments in the Govt., and public authorities will be able to adjust their routine works to make room for activities required to be taken up by them under the Right to Information Act so that a more complete picture is presented in future Annual Reports.

### 3.2 Disposal of information requests by Public Information Officers/Public Authorities:

(Section 25 (3)(a))

A total number of 526 requests were received by the Public Information Officers during the year. With 11 requests pending from the previous years i.e. the year 2006, there were a total number of 537 requests to be disposed off by the PIOs. Out of these, 492 requests were disposed off by the PIOs which accounts for 91% of all total number of requests available for disposal. The remaining requests of 45 (or 9%) were at various stages of processing at the end of Calendar year, 2007. A total number of requests rejected by the PIOs is 10 only which is hardly 2% of the total number of requests disposed off. This shows that the public authorities have been providing the information in most cases. Regarding number of requests deemed to have been refused, the number appears to be on the lower side due to inaccurate reporting by the Reporting Officers, in as much as, a larger number of complaints have been received in the Commission against deemed refusals of information by the PIOs.

The requests for information received Department-wise/public authority-wise and their state of disposal, etc are presented in Table 3.2.1 below:

#### 3.2.1

#### Disposal of Information Requests by Public Information officers/Public Authorities:

#### Reporting Year: 2007

Sl. No.	Name of Departments Public Authorities	No. of Requests Pending at end of Last Year	No. of Requests Received during the Year	Total No. of Requests	No. of Requests Disposed	No. of Requests Rejected	No. of Requests deemed to be Refused: 7 (2)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	<b>Agriculture</b>						
	Dte. of Agri.	-	13	13	10	-	3
	C.E.Irrigation	-	4	4	4	-	-
	Sectt. Deptt.,	-	2	2	2	-	-

2.	<b><u>Arts &amp; Culture</u></b> Dte. of Arts & Culture	-	2	2	1	-	1
3.	<b><u>A.H. &amp; Vety.</u></b> Dte. of A.H. & Vety.	2	5	7	7	-	-
4.	<b><u>Border Areas Dev.</u></b> Dte. of Border Areas Dev.	-	9	9	9	-	-
5.	<b><u>C.M.Secretariat</u></b> Sectt. Deptt.	-	2	2	2	-	-
6.	<b><u>C &amp; R D</u></b> Dte. of C&RD	4	134	138	130	-	-
7.	<b><u>Cooperation</u></b> Sectt. Deptt.	-	3	3	3	-	-
	Registrar of Cooperative Societies	-	1	1	1	-	-
8.	<b><u>Elections</u></b> C.E.O.	-	6	6	3	-	-
9.	<b><u>E.R.T.S.</u></b> Commissioner of Excise	1	5	6	4	-	1
10	<b><u>Education</u></b> DERT	-	1	1	1	-	-
	DEME	-	13	13	13	-	-
	DHTE	1	13	14	12	-	2
11	<b><u>Finance</u></b> Dte. of Accounts & Treasuries	-	1	1	1	-	-
12	<b><u>Food &amp; Civil Supplies</u></b> Dte. of Food & Civil Supplies	-	30	30	26	1	1
	Sectt. Deptt.	-	2	2	2	-	-
13	<b><u>Forest &amp; Env.</u></b> Sectt. Deptt.	-	6	6	6	2	-
	Dte. of Forest & Env.	-	27	27	20	-	-
14	<b><u>G.A.D.</u></b> Sectt. Deptt.	-	2	2	2	-	-
15	<b><u>Home (Police)</u></b> DGP, Meghalaya	1	6	7	7	1	-



16	<b><u>Home Guards &amp; Civil Defence</u></b> Dte. of Home Guards & C.D.	-	1	1	1	-	-
17	<b><u>Health &amp; F.W.</u></b> DHS (MI)	-	14	14	14	-	-
18	<b><u>Industries</u></b> Dte. of Industries	-	4	4	2	-	-
19	<b><u>Information &amp; Public Relations</u></b> D.I.P.R.	1	3	4	3	-	-
20	<b><u>Law</u></b> Law Deptt. (A)	-	1	1	1	1	-
21	<b><u>Labour</u></b> Dte. of Employment.	-	6	6	6	-	-
	Chief Inspector of Boilers	-	1	1	1	-	-
	Labour Commissioner	-	2	2	2	-	-
22	<b><u>Geology &amp; Mining</u></b> Dte. of Mineral Resources	-	3	3	3	-	-
23	<b><u>Planning</u></b> P.I.D.	-	1	1	1	-	-
	Dte. of Economics & Statistics.	-	5	5	5	-	-
24	<b><u>Personnel</u></b> Personnel & A.R.(A)	-	3	3	3	1	-
	D.C. Jaintia Hills	-	11	11	11	-	-
	D.C. East Garo Hills	-	5	5	5	2	-
25	<b><u>Political</u></b> Sectt. Deptt.	-	6	6	5	2	-
26	<b><u>P.H.E.</u></b> C.E., PHE	-	27	27	27	-	-
27	<b><u>POWER</u></b> Sectt. Deptt.	-	2	2	2	-	-
	Senior Electrical Inspector	-	1	1	1	-	-
	MeSEB	-	3	3	3	-	-
28	<b><u>Printing &amp; Stationery</u></b> Dte. of Printing & Stationery.	-	2	2	2	-	-

29	<b><u>P.W.D.</u></b> C.E.PWD ( R )	-	22	22	14	-	-
	C.E. PWD (B)	-	4	4	4	-	-
30	<b><u>Sports &amp; Youth Affairs</u></b> Dte. of S.Y.A.	-	10	10	10	-	-
31	<b><u>Social Welfare</u></b> Dte. of Social Welfare	-	7	7	7	-	-
32	<b><u>Soil &amp; Water Conservation</u></b> Dte. of Soil & Water	-	9	9	9	-	-
33	<b><u>Sericulture &amp; Weaving</u></b> Dte. of Sericulture	-	1	1	1	-	-
34	<b><u>Transport</u></b> Adm. Deptt.	-	3	3	3	-	-
	Comnr. of Transport	-	4	4	4	-	-
	RTA Shillong	-	2	2	1	-	-
	RTA Nongpoh	-	1	1	1	-	-
	RTA Baghmara	-	1	1	1	-	-
	RTA Williamnagar	-	1	1	1	-	-
35	<b><u>Tourism</u></b> Dte. of Tourism	-	8	8	8	-	-
36	<b><u>Urban Affairs</u></b> Admn. Deptt.	-	4	4	4	-	-
	Dte. of Urban Affairs	-	9	9	9	-	-
	Megh. Urban Dev. Agency	-	1	1	1	-	-
37	<b><u>Weight &amp; Measures</u></b> Controller of Weight & Measures	-	4	4	4	-	-
38	<b><u>District Councils</u></b> Khasi Hills Autonomous District Council, Shillong	-	30	30	30	-	-
	Jaintia Hills Autonomous District Council, Jowai	1	16	17	16	-	-
<b>Total</b>		<b>11</b>	<b>526</b>	<b>537</b>	<b>492</b>	<b>10</b>	<b>8</b>

### 3.3 Information requests rejected by public authorities: (Section 25(3)(b))

As mentioned in the foregoing Section, only a few information requests have been rejected by public authorities during the year. In fact, only 10 requests were rejected, and, all of them had been rejected under the provision of Section 8 of the Act. The departments/public authorities which had rejected information requests during the year are indicated in the Statement 3.3.1 below:

#### 3.3.1 Information Requests Rejected by Public Information Officers

Sl. No.	<u>Name of Department Public Authorities</u>	Total No. of Requests Rejected	No. of Requests Rejected Section 8	No. of Requests Rejected Section 9	No. of Requests Rejected Section 11	No. of Requests Rejected Section 24	No. of Requests Rejected Other Sections
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	<b><u>Food &amp; Civil Supplies</u></b> Dte. of Supply.	1	1	-	-	-	-
2.	<b><u>Forest &amp; Env.</u></b> Dte. of Forest & Environment	2	2	-	-	-	-
3.	<b><u>Home (Police)</u></b> DGP, Meghalaya	1	1	-	-	-	-
4.	<b><u>Law Deptt.,</u></b> Law (A)	1	1	-	-	-	-
5.	<b><u>Personnel Deptt.</u></b> Personnel (A)	1	1	-	-	-	-
	D.C. East Garo Hills	2	2	-	-	-	-
6.	<b><u>Political Deptt.</u></b> Sectt. Deptt.	2	2	-	-	-	-
	<b>Total</b>	<b>10</b>	<b>10</b>	-	-	-	-

### 3.4 Disposal of First Appeals by Designated Appellate Authorities:

108 Appeals were preferred before the Designated Appellate Authorities in the form of First Appeal during the year 2007. Most of the appeals preferred relate to the public authorities of the Directorate of C & R D in the C&RD Department which received as many as 95 First Appeals against the decisions made by the Public Information Officers during the year. Most of the appeals have been disposed off by the First Appellate Authorities and only 4 Appeals appear to have been rejected. The number of First Appeals preferred before various public authorities/ departments are given in Table 3.4.1 below:

#### 3.4.1 Disposal of First Appeals by Designated Appellate Authorities:

Sl. No.	<u>Name of Department Public Authorities</u>	No. of First Appeals pending with Appellate Officers	No. of First Appeals preferred during the Year	Total No. of Appeals with Appellate Officers	No. of First Appeals Disposed	No. of First Appeals Rejected	No. of First Appeals pending for more than 45 Days
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	<b><u>C &amp;R.D</u></b> Dte. of C&RD	-	95	95	94	-	-
2.	<b><u>E.R.T.S</u></b> Commissioner of Excise	-	1	1	1	1	-
3.	<b><u>Education</u></b> DHTE	-	1	1	1	-	-
4.	<b><u>Forrest &amp; Env.</u></b> Dte. of Forest & Environment	-	1	1	1	-	-
5.	<b><u>Information &amp; Public Relations</u></b> D.I.P.R.	-	1	1	1	-	-
6.	<b><u>Law Department</u></b> Law (A)	-	1	1	1	1	-

7.	<b><u>Political Deptt.</u></b> Sectt. Deptt.	-	2	2	2	2	-
8.	<b><u>Transport Deptt.</u></b> RTA Shillong	-	1	1	1	-	-
9.	<b><u>Tourism Deptt.</u></b> Dte. of Tourism	-	1	1	1	-	-
10.	<b><u>District Councils</u></b> Khasi Hills Autonomous District Council (KHADC)	-	3	3	3	-	-
	<b>Total</b>	-	<b>108</b>	<b>108</b>	<b>106</b>	<b>4</b>	-

**3.5 Disposal of Complaints by the State Information Commission:**  
(Section 25(3)(c))

During the year 2007, 33 numbers of Complaints under Section 18 were received by the State Information Commission. With 6 Complaints pending from the previous years (i.e 2006) there were altogether 39 cases of Complaints available for disposal during the year. All these Complaints had been disposed off during the year. 33% of the Complaints were rejected by the Commission. Almost all Complaints except 3 of them were disposed off by the Commission within the period of 90 days of the date of receipt of the Complaints in the Commission. The number of Complaints received by the Commission against the Public Information Officers of various Govt. Departments/public authorities is given in Table 3.5.1 below:

**Table 3.5.1****Departmental-wise receipt and Disposal of Complaints by Information Commission:**

Sl. No.	Name of Department	No. of Complaints pending with Information Commission at end of Last Year	No. of Complaints preferred during the Year	Total No. of Complaints with Information Commission	No. of Complaints Disposed	No. of Complaints Rejected	No. of Complaints pending for more than 90 days.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(9)
1.	C&RD	1	6	7	7	2	-
2.	E.R.T.S.	-	1	1	1	-	1
3.	Education	1	7	8	8	2	1
4.	Food & Civil Supply	1	-	1	1	-	-
5.	Forest & Env't.	-	2	2	1	1	-
6.	Home (Police)	-	2	2	2	-	-
7.	Health & F.W.	-	3	3	3	1	-
8.	Industries	-	2	2	2	1	-
9.	Personnel	-	2	2	2	2	-
10.	P.H.E.	-	1	1	1	-	-
11.	Power	-	1	1	1	-	-
12.	P.W.D.	-	1	1	1	1	-
13.	Revenue & Disaster	1	-	1	1	-	-
14.	Sports & Youth	-	1	1	1	-	-
15.	Transport	-	1	1	1	1	-
16.	Urban Affairs	-	3	3	3	2	-
17.	<b><u>District Councils</u></b>						
	K.H.A.D.C.	1	-	1	1	-	-
	G.H.A.D.C.	1	-	1	1	-	-
	<b>Total</b>	<b>6</b>	<b>33</b>	<b>39</b>	<b>38</b>	<b>13</b>	<b>3</b>

**3.6 Reasons of Complaints to State Information Commission:**

Out of 39 Complaints available with the State Information Commission for disposal during the year, 33% falls under Section 18(1)(b) for refusal or deemed refusal by the PIOs of various Public Authorities of access to information

requested. Another 31% of the Complaints falls under Section 18(1)(c) of the Right to Information Act namely failure on the part of the PIO to response to requests for information or to access to information within the period prescribed by Law. Another major reason for Complaint falls under Section 18(1)(e) namely furnishing of incomplete or misleading or false information by the PIOs which accounts for 31% of the Complaints.

Table 3.6.1 below gives a distribution of Complaints under the Sub-Sections of Section 18 of the Right to Information Act:

**Table 3.6.1 Reasons of Complaints to the State Information Commission:**

Reasons for complaint	No. of Complaints pending with Information Commission as on end of last year	No. of Complaints preferred during the Year	Total No. of Complaints with Information Commission	No. of Complaints Disposed	No. of Complaints Rejected	No. of Complaints pending for more than 90 days
(1)	(2)	(3)	(4)	(5)	(6)	(7)
18(1) (a)	1	1	2	2	-	-
18(1) (b)	2	11	13	12	6	2
18(1) (c)	1	11	12	12	4	1
18(1) (d)	-	-	-	-	-	-
18 (1) (e)	2	10	12	12	3	-
18(1) (f)	-	-	-	-	-	-

**3.7 Disposal of Second Appeals by the State Information Commission:**  
(Section 25(3)(c))

Only 15 cases of appeals have been received by the State Information Commission during the year. With 3 cases pending from the previous year, a total of 18 Second Appeals were available for disposal by the Commission during the year. All these 18 Second Appeals have been disposed off during the year

with 4 rejections. Only 2 Second Appeals were disposed off after a period exceeding 90 days.

Most of the appeals which had come up before the Commission are due to failure on the part of the PIOs and the Designated Appellate Authorities to dispose off or give decision to requests/First Appeals in time. Only about 30% of the cases of appeals came up before the Commission against the decisions of the First Appellate Authorities.

The Departmental-wise receipt and Disposal of Second Appeals by State Information Commission is given in table 3.7.1 below:

**Table 3.7.1**

**Departmental-wise receipt and disposal of Second Appeals by the State Information Commission:**

Sl. No.	Name of Department	No. of Second Appeals pending with Information Commission at end of Last Year	No. of Second Appeals preferred during the Year	Total No. of Second Appeals with Information Commission	No. of Second Appeals Disposed	No. of Second Appeals Rejected	No. of Second Appeals pending for more than 90 days
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Education	1	5	6	6	2	2
2.	Health & F.W.	1	1	2	2	-	-
3.	Law	-	1	1	1	1	-
4.	Labour	-	1	1	1	-	-
5.	Political	-	2	2	2	-	-
6.	Transport	-	1	1	1	-	-
7.	<b><u>District Councils</u></b> K.H.A.D.C.	1	4	5	5	1	-
	<b>Total</b>	<b>3</b>	<b>15</b>	<b>18</b>	<b>18</b>	<b>4</b>	<b>2</b>



### **3.8. Hearing of Complaints/Appeals by the State Information Commission:**

The Commission afforded an opportunity of hearing to both Appellant and Respondent during enquiry/examination of the issues raised in the Complaints or Appeals. Besides, the relevant records were also called and examined at the time of hearing before deciding the cases.

The Commission while hearing and deciding the Complaints and Appeals cases is required to ensure that;

- (i) Cases are disposed off as far as practicable within the period of 90 days of the date of receipts of Complaints/Appeals in the Commission. A few cases has been prolonged beyond a period of 90 days as further Complaints are generally received from the Complainants/Appellants on account of incompleteness/inaccuracy of information provided in compliance with the Orders of the Commission.
- (ii) All cases are decided after holding and open hearing after giving ample opportunity both the Respondent and Complainant, to present his/her case before the Commission. The PIOs by virtue of their personal presence during hearings get committed to furnish information/pay penalties by specific dates. By and large the Commission has been successful in doing so.
- (iii) Efforts is made that information requested are supplied at the hearing itself to the Complainants/Appellants and a specific time limit is set for furnishing the information if it is not possible to furnish the same during the hearing. A report of compliance is generally asked from each PIOs/DAA's by a specific date and the case is formally closed only when a compliance report is received in the Commission. The proceedings of the Commission are generally conducted in an informal atmosphere and a decision is generally announced by the conclusion of the hearing and written Orders communicated to the parties subsequently.

**3.9 Disciplinary Action etc. taken against any officers:**  
(Section 25(3)(d))

During the period under report, no disciplinary action was recommended against any DAA/PIO/APIO. Further, the penalties/compensations given at table 3.9.1 below have been awarded by the Commission during the year. Amounts of penalty/compensation have already been paid/deposited by the Respondents in time.

**Table 3.9.1**  
**Penalties/Compensations awarded by the State Information Commission during the year:**

<b>Sl. No.</b>	<b>Case No.</b>	<b>Name of Complainants/Appellant</b>	<b>Name of PIO/Public Authorities</b>	<b>Amount of penalty/compensation.</b>
1.	MIC/Appeal/38/2006	Smti Irene P.Hujon, Laban, Shillong	Commissioner of Excise, Govt. of Meghalaya	Rs. 5000/- (compensation)
2.	MIC/Appeal/32/2007	Shri Medring Langshiang, Amlarem, Jaintia Hills	Smti A.M.Lytan, D.I. of Schools, Jaintia Hills	Rs. 3500/- (penalty)
3.	MIC/Complaint/78/2007	Shri C.Sangma, Resubelpara, East Garo Hills	Shri N.P.Gupta, E.E. PHE, Resubelpara, East Garo Hills	Rs. 15,750/- (penalty)

**3.10 Amounts of charges collected by each public authorities:**  
(Section 25(3)(e))

An amount of Rs.31,510/- was collected by the PIOs/public authorities in the form of various fees during the year. Of this total amount, Rs.326/- only was collected under Section 4(4) of the Act, being the cost of the medium or printed cost price in which form the information was provided; Rs. 4018/- is the application fee under Section 6(1) of the Act; Rs.11,026/- under Section 7(1) and Rs.16,090/- under Section 7(5) for providing the information in printed or electronic format. The rates of various fees are as prescribed by the State Govt. under the rules framed by it. Table 3.10.1 below give a summary of cost, fees and charges collected by public authorities during the year.

**Table 3.10.1**

**Summary of Costs, Fees & Charges Collected by Public Authorities:**

Sl.No.	<b><u>Name of Deptt.,</u></b> Public Authority	Cost collected Sec 4(4)	Fee collected Sec 6(1)	Fee collected Sec 7(1)	Fee Collected Sec 7(5)	Other charges collected (specify)	Total Collection
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	<b><u>Agriculture</u></b>						
	Dte. of Agri	-	130	44	-	-	174
	C.E. Irri.	-	20	-	-	-	20
	Sectt. Dept.	-	-	-	-	-	-
2.	<b><u>Arts &amp; Culture</u></b>						
	Dte. of Arts & Culture	-	10	-	-	-	10
3.	<b><u>A.H. &amp; Vety.</u></b>						
	Dte. of A.H. & Vety.	-	50	94	-	-	144
4.	<b><u>Border Areas Dev.</u></b>						
	Dir. BAD	-	90	952	-	-	1092
5.	<b><u>C.M.Sectt.</u></b>						
	Sectt. Dept.	-	-	-	-	-	-
6.	<b><u>C&amp;RD</u></b>						
	Dte. of C&RD	-	1170	-	7652	-	8822
7.	<b><u>Cooperation</u></b>						
	Sectt. Deptt.	-	-	30	-	-	30
	Registrar Coop. Societies	-	-	-	-	-	-
8.	<b><u>Election</u></b>						
	C.E.O., Meghalaya	-	20	-	-	-	20
9.	<b><u>E.R.T.S</u></b>						
	Commissioner of Excise	-	30	-	-	-	30
10.	<b><u>Finance</u></b>						
	Dte. of Accts. & Treasury	-	-	-	-	-	-

11.	<b><u>Education</u></b> DERT	10	-	-	-	-	10
	DEME	-	150	776	-	-	926
	DHTE	-	130	92	-	-	222
12.	<b><u>Food &amp; Civil Supplies</u></b> Dte. of Food & Civil Supplies	-	30	-	-	-	30
	Sectt. Deptt.	-	20	-	-	-	20
13.	<b><u>Forest &amp; Env.</u></b> Sectt. Deptt.	-	20	22	-	-	42
	Dte. of Forest & Env.	30	180	30	262	-	502
14.	<b><u>GAD</u></b> Sectt. Deptt.	10	-	-	-	-	10
15.	<b><u>Home (Police)</u></b>	6	60	-	-	-	66
16.	<b><u>Home Guards &amp; C.D.</u></b> Dte. of Civil Defence & H.G.	-	10	-	-	-	10
17.	<b><u>Health &amp; F.W.</u></b> DHS (MI)	-	140	-	7970	-	8110
18.	<b><u>Industries</u></b> Dte. of Industries	10	40	28	-	-	78
	Chief Inspector of Boiler	-	10	-	-	-	10
19.	<b><u>Information &amp; Public Relations</u></b> DIPR	-	30	-	-	-	30
20.	<b><u>Law Deptt.</u></b> Law (A)	-	10	-	-	-	10

21.	<b><u>Labour</u></b> Dte. of Employment	10	50	-	-	-	60
22.	<b><u>Geology &amp; Mining</u></b> Dte. of Mineral Resources	-	30	-	-	-	30
23.	<b><u>Planning</u></b> PID	-	10	-	-	-	10
24.	<b><u>Personnel</u></b> Personnel A.R.(A)	-	30	-	-	-	30
	D.C. Jowai	-	110	582	-	-	692
	D.C. East Garo Hills	-	50	-	70	-	120
25.	<b><u>Political</u></b> Sectt. Deptt.	-	60	178	-	-	238
26.	<b><u>P.H.E.</u></b> C.E. PHE	60	126	190	136	40	552
27.	<b><u>Power</u></b> Sectt. Deptt.	-	94	-	-	-	94
	Senior Electrical Inspector	-	10	-	-	-	10
	MeSEB	-	30	138	-	-	168
28.	<b><u>Printing &amp; Stationery</u></b> Dte. of P&S	-	20	-	-	-	20
29.	<b><u>P.W.D.</u></b> C.E.PWD(R)	-	190	278	-	-	468
	C.E.PWD (B)	-	40	40	-	-	80
30.	<b><u>Sports &amp; Yourth Affairs</u></b> Dte. of SYA	-	100	-	-	-	100

31.	<b><u>Social Welfare</u></b> Dte. of Social Welfare	-	70	118	-	-	188
32.	<b><u>Soil &amp; Water Conservation</u></b> Dte. of Soil & Conservation	70	116	-	-	-	186
33.	<b><u>Sericulture &amp; Weaving</u></b> Dte. of Sericulture & Weaving	-	-	10	-	-	10
34.	<b><u>Transport</u></b> Admn Deptt.	-	10	-	-	-	10
	Commnr. of Transport	-	-	162	-	-	162
	RTA Shillong	-	20	-	-	-	20
	RTA Williamnagar	-	10	10	-	-	20
35.	<b><u>Tourism</u></b> Dte. of Tourism	80	-	70	-	-	150
36.	<b><u>Urban Affairs</u></b> Admn Deptt	10	-	-	-	-	10
	Dte. of Urban Affairs	-	82	-	-	-	82
	Megh. Urban Dev. Agency	26	-	-	-	-	26
37.	<b><u>Weight &amp; Measures</u></b> Controller of Weight & Measures	14	40	-	-	-	54
38.	<b><u>District Council</u></b> K.H.A.DC.	-	210	1268	-	-	1478
	J.H.D.C.	-	160	5814	-	-	5974
	<b>Total</b>	<b>336</b>	<b>4018</b>	<b>11026</b>	<b>16090</b>	<b>40</b>	<b>31510</b>

## CHAPTER - 4

### Efforts made by Public Authorities to administer and implement the spirit and intention of RTI Act:

- 4.1 Apart from the act of receiving and providing the information requests, collection of fees and hearing of First Appeals, the Public Authorities have many other functions to perform, to implement the provisions of the Act effectively. This includes, the following:-
- (i) maintaining all its records duly catalogued and indexed in a manner and the form which will facilitate access to information (Section 4(1)(a))
  - (ii) ensuring computerization of all records that are appropriate within the reasonable time (Section 4(1)(a))
  - (iii) Computerization and networking of information and records all over the country on different systems so that access to such records is facilitated (Section 4(1)(a))
  - (iv) Publishing the 17<sup>th</sup> Manuals within 120 days of the date of enactment of the RTI Act (Section 4(1)(b))
  - (v) Publishing all relevant facts while formulating important policies or announcing decisions which affecting public (Section 4(1)(c))
  - (vi) Providing reasons for its administrative and quasi-judicial decisions affecting public (Section 4(1)(d))
  - (vii) Providing information Suo Motu to the public at regular interval through various means of communication including the internet (Section 4(2))
  - (viii) Dissemination of information to the public in such form and manner which is effective and easily accessible to the public such as, notice boards, news papers, public announcements, media broad casts, the internet or any other means (Section 4(3))
  - (ix) Designating Public Information Officers, Assistant Public Information Officers and Departmental Appellate Authorities within 100 days of the day of enactment of the Law (Section 5(1))

- (x) Ensuring that the functionaries and staff of the public authorities received proper training and sensitization of the various provisions of the RTI Act so that they may be able to perform their duties under the Law, efficiently (Section 26(b))

From the records made available to the Commission, different public authorities in the State have taken certain actions which reflected efforts on their parts to administer and implement the spirit and intention of the Act. However, such actions, are by no means considered satisfactory and some of them are summarized below:

#### 4.2 **Management of official records:**

A few Departments of the State Govt. have initiated steps to streamline the management of records in their respective offices through proper custody/indexing and maintaining proper registers of records under their custody. The following Departments had reported to have taken such steps, viz.,

- (i) Directorate of Agriculture.
- (ii) Directorate of Border Areas Development.
- (iii) Parliamentary Affairs Department.
- (iv) Programme Implementation Department.

#### 4.3 **Computerization of records:**

The following public authorities have reported that the process of computerization and networking of information/records have been initiated and that the process is going on, viz.,

- (i) Directorate of Agriculture.
- (ii) Directorate of Border Areas Development.
- (iii) Commissioner of Taxes.
- (iv) Finance (P.R) Department.
- (v) Directorate of Food & Civil Supply and Consumer's Affairs.
- (vi) Directorate of Forest & Environment.



- (vii) Director General of Police, Meghalaya.
- (viii) Directorate of Information & Public Relations.
- (ix) Directorate of Mineral Resources.
- (x) Chief Engineer, P.H.E.
- (xi) Meghalaya State Electricity Board.
- (xii) Urban Affairs Department.

#### 4.4 **Publishing of the 17<sup>th</sup> Manuals:**

Most of the public authorities/departments have already published the Manuals under Section 4(1)(b) of the RTI Act and many of them have also updated those Manuals and displayed on line through the Departmental/Govt. Websites. However, no report has been received in this Commission about publication of such Manuals by the following public authorities, viz.,

##### **Govt., Departments:**

- (i) General Administrative Department (GAD)
- (ii) Home Guards & Civil Defence.
- (iii) Information Technology Department.
- (iv) Political Department.

##### **Under competent authorities:**

- (i) Meghalaya State Legislative Assembly.
- (ii) Shillong Bench of the Guahati High Court, Shillong.
- (iii) Khasi Hills Autonomous District Council.
- (iv) Garo Hills Autonomous District Council.

#### 4.5 **Providing Suo Motu information and dissemination of information to the public through easily accessible modes e.g. notice boards, public announcements, media broad casts, the internets etc:**

The following public authorities had reported to have taken steps in providing Suo Motu information at regular intervals and dissemination of information to the public in such form and manner which is effective and

easily accessible to the public, such as, notice boards, news papers, public announcements, media broad casts, the internet etc. viz.,

- (i) Directorate of Border Areas Development.
- (ii) Directorate of Food & Civil Supply and Consumer's Affairs.
- (iii) Directorate of Forest & Environment.
- (iv) Director General of Police, Meghalaya.
- (v) Directorate of Information & Public Relations.
- (vi) Directorate of Printing & Stationery.
- (vii) Chief Engineer, PWD (Roads).
- (viii) Directorate of Social Welfare.
- (ix) Commissioner of Transport.

#### 4.6 **Designation of DAAs/PIOs/APIOs:**

All Departments and public authorities in the State appear to have already designated officers as DAAs/PIOs/APIOs. There are at present a total of 218 public authorities 333 DAAs and over 1220 PIOs in the State.

In certain Govt. Departments like the Chief Engineer, PWD (Roads), Directorate of Higher & Technical Education, Directorate of Elementary & Mass Education, Directorate of Research & Training, Directorate of C &RD, Chief Engineer, PHE, the K.H.A.D.C., and the Directorate of Health & F.W., further modifications of the list of DAAs/PIOs/APIOs have been made in-consultation with the Commission. Depending on experience gained in public convenience and effectiveness in service delivery, the list of such DAAs/PIOs/APIOs in each public authority may have to be reviewed from time to time. The distributions of PIOs in various districts of the State separately for the Urban and the Rural areas are given at Annexure – IV to this Report.

**Organization of educational programmes etc for the public, etc:**

Except some activities under taken by the NGOs which are also limited to a few places in the Khasi – Jaintia Hills region of the State, Govt., intervention in developing educational programmes and awareness campaigns as envisaged under Section 26(1)(a) of the Act has not taken place. According to the report received from the Director, Information & Public Relations some workshops for the NGOs and the Press and Media representatives were organized in Nongstoin, Tura and Jowai during the year. The programmes at Jowai and Nongstoin were attended by the Chief Information Commissioner. The only awareness campaign which has come to the notice of this Commission and which the Chief Information Commissioner also participated was organized at Pynursla, East Khasi Hills by the Directorate of Information & Public Relations on 1-11-2007. Such awareness campaigns might have also been taken up by the Directorate of Information & Public Relations in some other district headquarters in the State, for which, no report has been furnished to this Commission yet.

However, training and sensitization programme to the Govt. officials at the level of PIOs/APIOs has taken place in almost all the district headquarters of the State. Some of these programmes were also attended by the Chief Information Commissioner himself as already indicated at para 2.16(iii) of this Report.

Some public authorities have also been taken initiatives on their own to organize some workshops/training programmes for their officers on the relevant provisions of the RTI Act. The following departments reported that they had taken such initiatives, viz.,

- (i) Directorate of Agriculture.
- (ii) Directorate of Horticulture.
- (iii) Principal Chief Conservator of Forest.
- (iv) Director General of Police, Meghalaya.

- (v) Directorate of Mineral Resources.
- (vi) Meghalaya State Electricity Board.
- (vii) Directorate of Soil & Water Conservation.

## **CHAPTER – 5**

### **RECOMMENDATIONS FOR REFORMS etc.**

#### **5.1 Creation of public awareness:**

The experience gained so far indicates that Govt. Servants/public officials and people living in the urban areas of the State, have been benefited from the RTI Act. In the Rural areas of the State, the RTI Act has made a very limited impact. There has been very little awareness of the Act and its benefits in the rural areas of the State.

The RTI Act creates an obligation on the State Govt. under Section 26 to create public awareness of the Law and its provisions among public in general. In order to create such public awareness it is very essential that special programmes be developed and conducted to be supported with adequate budget provision especially in the rural areas of the State so that all sections of the society reap the benefits of the Act. So far, (since the last Annual Report), there has not been any meaningful awareness programme organized by the Govt. in the State, especially in the rural areas. It is, therefore, recommended that:

- (i) Specific awareness programmes be developed supported by adequate budget provisions and such programmes should be organized/conducted all over the State especially at the district headquarters, sub-divisional headquarters and Block Headquarters and in some other central places in the rural areas of the State.
- (ii) The 12<sup>th</sup> day of October, the date on which the Right to Information Act was first made operational, should, each year, be celebrated in the form of awareness campaigns in schools and colleges involving teachers, students and NGOs and local Govt. officials.
- (iii) From experience gathered so far, it appears that the NGOs are better equipped to organize and conduct awareness campaigns on RTI especially in the rural areas. Govt may, therefore, make necessary provisions for grant-in-aids to NGOs for RTI awareness campaigns.

## 5.2 **Publication of a users guide in the local languages:**

The users' guide in English language has already been compiled by the Govt. earlier. This guide had to some extent benefited citizens with the knowledge of the English language. The circulation of the guide has been very limited and it appears that circulation has been mostly limited to Govt. officials. As a result, members of the public in general who are the primary users of the Act do not have access to the users guide even in the urban areas. It is, therefore, recommended that:

- (i) The users' guide be reprinted with sufficient copies for circulation among public in the urban areas.
- (ii) Sufficient copies of the users guide should also be published in the associated official languages of the State viz., in Khasi and Garo, for distribution to the rural areas of the State.

## 5.3 **Capacity building for functionaries under the RTI Act:**

The PIO is the kingpin in the implementation of the RTI Act. He should, therefore, be fully trained and equipped both with rules and procedures for implementing the Law. Successful implementation of the RTI Act rests in the efficiency of disposal of information requests by the PIO. During hearings of complaints and appeals, the Commission noticed that a large section of the PIOs and APIOs are lacking in basic and practical knowledge of the relevant provisions of the Law and the procedures to be followed in dealing with information applications. There are about 1220 PIOs in the State at present and only a small cross section of them have received any exposure to the provisions of the RTI Act. It is, therefore, recommended that:

- (i) Govt. should develop and organize short duration training programmes for all PIOs, APIOs and DAAs. Since all the PIOs and other functionaries cannot remain in the same position for many years due to the Govt. policy of shifting assignments on all officers through the process of transfer and

posting, it would be necessary that such training programmes be conducted every year to enable the new incumbents to receive proper exposure to the provisions and the procedure of the Law.

- (ii) Adequate budget provisions should be earmarked for the purpose of such training.
- (iii) Since the real work in compiling information etc in various public authorities rests with the staff of such public authorities, it would be very desirable that all staff of each public authority be exposed to the provisions of the RTI Act through appropriate departmental training etc on the provision of the Law. At present a very few public authorities/ departments have conducted such in-house training to their officers and staff.

#### 5.4 **Providing support to the State Public Information Officers:**

Some of the problems frequently voiced by the PIOs before the Commission, both at the time of hearings and during interactive sessions conducted at the district headquarters, have been lack of adequate budgetary provisions under office expenses to meet the expenditure involved in making copies of documents to be furnished to the information applicants. The normal budgetary provision under contingency expenses available with the PIOs, which always run short even for meeting regular office expenses, will not sustain implementation of the RTI Act unless properly enhanced. This is a genuine problem which sometimes stands on the way of providing timely information to the applicants. Apart from insufficiency of fund under the appropriate head of accounts, there is also lack of facilities like photocopier and even manpower which are very essential for supply of timely information to the applicants. It is, therefore, recommended that:

- (i) While earmarking funds for contingency expenses in the budget, department concerned should make an assessment of the genuine requirement of funds by the PIO to implement effectively the provisions of the RTI Act. In case enhancement of budgetary provisions is not possible

the PIO should be authorized to meet the expenditure on charges for making copies of documents etc out of fees/costs, charged/collected by them.

- (ii) Concerned departments of the Govt. should take steps to make available to the PIOs adequate facilities for making copies of the documents etc. at the local level so that no time is wasted in search of facilities here and there for making copies.

#### 5.5 **Incentives to PIOs:**

The RTI Act provides very strict time frame for execution and there is a personal liability on PIOs for failure to stick to such time frame. With acceptance of the Law by the public in general, there will be significant increase in the quantum of applications to be received by the PIOs. This will result in significant increase in workload of the officers dealing with the RTI matters. While pursuing matters in compliance with the provisions of the Law they may sometimes, have to incur the displeasure of their seniors even. Further, the culpability of the PIOs is clearly defined when they come before the Commission to account for the delay and failure to provide the information within the time frame provided by Law in the second appeal and complaints. It is, therefore, undeniable that the job of the PIO is becoming a very high risk assignment which not only placed upon him a heavy additional burden of work but also exposing him to penalties personal to him. In view of this, it is recommended that:

- (i) All the PIOs in the State should be given token honorarium at a scale commensurate with the quantum of applications received and disposed of by the PIOs concerned.



5.6 **RTI activities should find mentioned in the ACRs of officers:**

The RTI has come to stay and its implementation will be carried out on a continuous basis through the legal functionaries of the DAAs/PIOs/APIOs. Being such a continuous process, RTI activities should be viewed as part and parcel of official activities. All such official activities generally got reflected in performance assessment of the officers in the annual confidential report. In view of the high profile of the RTI Act and its role in achieving transparency, accountability, good governance and eliminating corruption; it is absolutely important that the assessment of performances of such officers involved in RTI activities should also find a reflection on the ACRs of the concerned officers. It is, therefore recommended that:

- (i) Specific items/item should be incorporated in the ACR form or assessment reports prescribed which will substantial refers to the officer's attitude towards implementation of RTI Act.
- (ii) The decisions on all departmental proceedings against officers recommended by the Commission be entered into service book/records of the officers concerned.

5.7 **Review of designation of PIOs/APIOs by public authorities:**

While all Govt Departments and public authorities have already designated officers like DAAs/PIOs/APIOs as indicated at para 4.6 of the Report, the Commission feels that there is still scope for review the activities of the existing PIOs/public authorities for effective functioning, keeping in view the time frame prescribed by Law. Since the RTI Act has placed more burden on the shoulders of the PIOs, it would be in the best interest of each and every departments/public authorities to have an equitable distribution of the additional workload imposed by RTI among the officers of the departments. While all departments of the Govt. are required to conduct their own review, the following departments needs immediate streamlining and the Commission recommends accordingly viz.,

(i) **Home (Police) Department:**

At present all Police Stations in the State operates at the APIOs level. Since the Officers-in-charge of the Police Stations holds the information at the local Police Stations and the Out Posts level, it will be necessary to examine the need for designating Officers-in-charge as PIOs and Officers-in-charge, Police Out Posts as APIOs with the Superintendents of Police of the districts, retaining the First Appellate Authority.

(ii) **Education Department:**

At present the Headmasters of all Secondary Schools are PIOs but the Headmasters of all Upper Primary/ Primary Schools are APIOs under the D.I. of Schools as PIOs. The department has to examine the need for designating the Headmasters of the Secondary Schools as PIOs of Upper Primary Schools in all institutions where an Upper Primary /or Primary Schools is amalgamated to a Secondary Schools.

(iii) **Health & F.W. Department:**

At present the District Medical & Health Officer (DMHO) is the PIO for the whole district and the in-charge of all other units i.e. CHCs, PHCs have been designated as APIOs. Since the CHCs/PHCs are manned by senior officers of the Govt. there is a need to examine whether the Medical Health Officer in-charge CHCs and PHCs be designated as PIOs with the DMHO as the First Appellate Authority.

**ANNEXURE – I**

**GOVERNMENT OF MEGHALAYA  
INFORMATION AND PUBLIC RELATIONS DEPARTMENT**

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**NOTIFICATION**

Dated Shillong, the 1<sup>st</sup> August, 2007

**No.IPR.112/96/Pt.IV/331** - In exercise of the powers conferred by section 27 and 28 read with sub-section (10) of Section 19 of the Right to Information Act, 2005 the Governor of Meghalaya is pleased to make the following rules namely:-

1. **Short title and commencement** – These rules may be called the Right to Information (Appeal & Procedures of the State Information Commission) Rules, 2007.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. **Definitions:** - In these rules unless the context otherwise requires –

(a) “Act” means the Right to Information Act, 2005;

(b) “Appeal” means a second appeal as specified under sub-section (3) of section 19 of the Act;

(c) “Chief Information Commissioner” means the State Chief Information Commissioner appointed under sub-section (3) of section 15 of the Act;

(d) “Designated Appellate Authority” means the Authority constituted under sub-section (1) of section 19 of the Act;

(e) “State Information Commission” means the Commission constituted under section 15 of the Act; and

(f) “Section” means section of the Act.

3. **Appeal:** - (1) An appeal under sub-section (3) of section 19 of the Act, can filed with the State Information Commission within 90 days from the date on which the decision under sub-section (1) of section 19 was received.

(2) An appeal can filed with the Commission –

(a) by any person or party either by presenting personally or through an agent duly authorized or by post.

(b) against the order/decision of the Designated Appellate Authority.

(c) in the prescribed formats which can be obtained from the office of the Commission or in plain paper duly signed with all particulars and address of the Appellants; and

(d) by stating the grounds for relief and redressal.

(3) An appeal not complying with the conditions under sub-rule (2) (a), (b), (c) and (d) of these rule will be summarily rejected.

4. **Documents to accompany appeal** – Every appeal made to the State Information Commission shall be in triplicate accompanied by the following documents, namely,-
  - (a) self-attested copies of the orders or documents against which the appeal being preferred;
  - (b) copies of documents relied upon by the appellant and referred to in the appeal; and
  - (c) an index of the documents referred to in the appeal.
  
5. **Procedures in deciding appeal** – In deciding the appeal, the State Information Commission may;
  - (a) hear oral, or written evidence on oath or on affidavit from concerned interested person;
  - (b) peruse or inspect documents, public record or copies thereof;
  - (c) inquire through authorized officer further details or facts;
  - (d) hear the Designated Appellate Authority or such Senior Officer who decided the first appeal, or such against whom the complaint is made, as the case may be;
  - (e) hear third party if, any and
  - (f) receive evidence on affidavits from Designated Appellate Authority, or such other Senior Officers who decided the first appeal or such person against whom the complaint or the third party.
  
6. **Service of notice by Commission** - Notice to be issued by the State Information Commission may be served in any of the following modes, namely,
  - (a) service to the party itself;
  - (b) by hand delivery (dusty) through process server;
  - (c) by registered post with acknowledgement due; or
  - (d) through Head of Office or Department;
  - (e) by fax; or
  - (f) by e-mail.
  
7. **Personal presence of the appellant or complainant** –
  - (1) The appellant/complainant, as the case may be, shall in every case be informed of the date of hearing at least ten clear days before the date.
  - (2) The appellant/complainant, as the case may be, may at his discretion at the time of hearing of the appeal or complaint by the State Information Commission be present in person or through his duly authorized representative or may not be present.
  - (3) Where the State Information Commission is satisfied that the circumstance exist due to which the appellant/complainant, as the case may be, is being prevent from attending the hearing before the State Information Commission, the State Information Commission may afford the appellant/complainant, as the case may be, another opportunity of being heard before a final decision is taken or take any other appropriate action as it may deem fit.
  - (4) Appellant/complainant, as the case may be, may seek the assistance of any person in the process of the appeal while presenting his points and the person representing him may not be a legal practitioner.

8. **Order of the State Information Commission** - Order of the State Information Commission shall be in written and be pronounced in open proceedings. Such order shall be duly authenticated by the Under Secretary or any other officer authorized by the State Information Commission for this purpose.
9. **Payment of the penalty amount imposed by the Commission** – The amount of the penalty imposed by the Commission under Section 20 of the Act shall be deposited by the concerned Public Information Officer etc with the Commission within a period of 30 days. The Commission will issue necessary receipts for the payment made in the prescribed form. Alternatively, the Public Information Officer may make the payment by Treasury Challans to the State Bank of India under the head of account to be supplied by the Commission.

Failure to pay the amount of penalty within the specified period of 30 days, the amount shall be deemed to be a public demand as defined under section 3 of the Bengal Public Demands Recovery Act, 1913 read with “Para 3 of the Schedule I to the above Act” at Annexure I.

Sd/-

**(Arindam Som)**

Commissioner & Secretary to the Govt. of Meghalaya,  
Information & Public Relations Department.

**Memo.No.IPR.112/96/Pt.IV/331-B**

**Dated Shillong, the 1<sup>st</sup> August, 2007**

Copy to:-

1. Private Secretary to the Chief Minister for information of the Chief Minister.
2. Private Secretary to the Minister, I/c IPR for information of the Minister, I/c IPR.
3. Private Secretary to the State Chief Information Commissioner for information of the State Chief Information Commissioner.
4. Private Secretary to the Chief Secretary for information of the Chief Secretary.
5. All Principal Secretary, Commissioner & Secretary, Secretary\_\_\_\_\_ for information and necessary action.
6. Secretary, Meghalaya Information Commission with reference to letter No. MIC.5/2006/16 dated 21-9-2006.
7. Director of Information and Public Relations, Meghalaya, Shillong.
8. All Administrative Department/Heads of Department for information and necessary action.
9. Director of Printing and Stationery, Meghalaya, Shillong with a request to kindly publish the above Notification in the next issue of the Meghalaya Gazette and to supply 1000 printed copies of the above Notification to this Department.

By order etc.,

Under Secretary to the Govt. of Meghalaya,  
Information & Public Relations Department.

**THE BENGAL PUBLIC DEMANDS RECOVERY ACT, 1913**  
**( Bengal Act 3 of 1913)**

**Preamble:** Whereas it is expedient to consolidate and amend the law relating to the recovery of public demands in Bengal;

And whereas the previous sanction of the Governor-General has been obtained under Section 5 of the Indian Councils Act, 1892 to the passing of this Act;

It is hereby enacted as follows:

**NOTES**

**Preamble:** This Act was enacted to consolidate and amend the law relating to the recovery of public demands in Bengal and by virtue of this enactment, the Public Demands Recovery Act, 1895 and the Bengal Public Demands Recovery (Amendment) Act, 1897 were repealed. The provisions of this Act were extended under the Scheduled Districts Act, 1874 to the Province of Assam subject to certain restrictions and modifications by Notification No.10-R, dated the 3<sup>rd</sup> January, 1920.

It will not be out of place to mention that the Land and Revenue Regulations, 1886 also provide the mode of recovering the arrears. By virtue of the Assam Land Revenue Regulation and under Section 2 thereof the provisions of recovery of public demands, so far as it relates to recovery of arrears of land revenue, were repealed.

**PART – I**

**PRELIMINARY**

**1. Short Title, commencement and extent:**

- (1) This Act may be called the Bengal Public Demands Recovery Act, 1913,
- (2) It shall come into force on such date as the State Government may appoint by notification in the official Gazette; and
- (3) It extends to the whole of Assam;

**2. Repeals:** The following enactments are hereby repealed namely;

- (a) The Public Demands Recovery Act, 1895 (Bengal Act 1 of 1895);
- (b) The Bengal Public Demands Recovery (Amendment) Act, 1897 (Bengal Act 1 of 1897);

**3. Definitions:** In this Act, unless there is anything repugnant in the subject or context –

- (1) “certificate debtor” means the persons named as debtor in a certificate filed under this Act, and includes any person whose name is substituted or added as debtor by the Certificate Officer;

(2) “certificate holder” means the Government or person in whose favour a certificate has been filed under this Act, and includes any person whose name is substituted or added as creditor by the Certificate Officer;

(3) “certificate Officer” means a Collector, a Sub-Divisional Officer, and any officer appointed by a Collector, with the sanction of the Commissioner, to perform the functions of a Certificate Officer under this Act;

(4) “moveable property” includes growing crops;

(5) “prescribed” means prescribed rules;

(6) “public demand” means any arrear or money mentioned or referred to in Schedule I and includes any interest which may, by law, be chargeable thereon up to the date on which a certificate is signed under Part II; and

(7) “rules” means rules and forms contained in Schedule II or made under Section 39.

## NOTES

In *M/s. Balimar Tea Co. v. Collector of Assam* (1974 ALR 1961), the question arose whether the appointment of Extra Assistant Commissioner, Dibrugarh by the Deputy Commissioner under the notification issued in this respect under Section 3, sub-section (3) of this Act was valid or not. The Hon’ble High Court held that the appointment by the Deputy Commissioner was valid under sub-section (3) of Section 3.

The same High Court in the same case was also concerned with the definition of certificate holder as defined under sub-section (2) of Section 3 of this Act, which means the Government or person in whose favour a certification has been filed under this Act, and includes any person whose name is substituted or added as creditor by the Certificate Officer. The Hon’ble High Court held, if, after examination of the certificate issued by the Agricultural Income Tax Officer accompanied by challans, the Certificate Officer has inserted the Agricultural Income Tax Officer to be certificate holder, no objection can be taken on this core. The Hon’ble High Court further held that the amount will be undoubtedly payable in the treasury on the Government Account and showing of the name of the Agricultural Income Tax Officer as the certificate holder does not make the certificate invalid. It is not that the certificate holder is a private person. The Agricultural Income Tax Officer is performing his functions only as agent of the Government.

.....

**PART II**  
**FILING, SERVICE AND EFFECT OF CERTIFICATE AND**  
**HEARING OF OBJECTIONS THERETO**

**4. Filing of certificate for public demand payable to Collector:**

When the Certificate Officer is satisfied that any public demand payable to the Collector is due, he may sign a certificate in the prescribed Form, stating that the demand is due and shall cause the certificate to be filed in his office.

**NOTES**

This section deals with filing of certificates for public demand payable to Collector and prescribes that the Certificate Officer when satisfied that the public demand payable to the Collector is due, he may sign a certificate. In *M/s. Balimar Tea Company v. The Collector of Assam* (1974 ALR 1961), the Hon'ble Gauhati High Court was concerned with the question as to whether inclusion in one certificate or demands for two years will make the certificate invalid? The Hon'ble High Court held that in view of the nature of the demand and the parties being same, the argument that the certificate which included the demands for two years would be invalid, cannot be accepted.

This section contemplates that there should be satisfaction of the Certificate Officer that a public demand payable to the Collector is due. What is payable to the Collector must be legally payable to the Collector and should be so payable at the time of issuing the certificate.

**5. Requisition for certificate in other cases:** (1) When any public demand payable to any person other than Collector is due, such person may send to the Certificate Officer a written requisition in the prescribed Form:

Provided that no action shall be taken under this Act on a requisition made by a liquidator in pursuance of an order under Cl. (b) or Cl. (d) of sub-section (2) of Section 42 of the Cooperative Societies Act, 1912, unless the requisition be countersigned by the Registrar of Cooperative Societies, Bengal.

(2) Every such requisition shall be signed and verified in the prescribed manner, and in such cases as may be prescribed, shall be chargeable with the fee of the amount which would be payable under the Court-Fees Act, 1870 (VII of 1870) in respect of a plaint for the recovery of a sum of money equal to that stated in the requisition as being due.

**6. Filing of certificate on requisition:** On receipt of any such requisition the Certificate Officer, if he is satisfied, that the demand is recoverable and that recovery by suit is not barred by law, may sign a certificate, in the prescribed form, stating that the demand is due; and shall include in the certificate the fee (if any) paid under Section 5, sub-section (2) and shall cause the certificate to be filed in his office.



## NOTES

On receipt of any requisition, the Certificate Officer is to satisfy himself (1) that the demand is recoverable; (2) that the recovery of the demand by suit is not barred by law. On being so satisfied, he may sign the certificate in the prescribed form stating that the demand is due.

**7. Service of notice and copy of certificate on certificate debtor:** When a certificate has been filed in the office of a Certificate Officer under Section 4 or Section 6 he shall cause to be served upon the certificate debtor, in the prescribed manner, a notice in the prescribed form and copy of the certificates.

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## NOTES

Under this section, the Certificate Officer shall cause a notice to be served upon the Certificate debtor.

56. Application of the Indian Limitation Act, 1908 (IX of 1908).  
(1) Sections 6 to 9 of the Indian Limitation Act, 1908, shall not apply to suits, appeals or applications under this Act.  
  
(2) Except as declared in sub-section (1), the provisions of the Indian Limitation Act, 1908, shall apply to all proceedings under this Act as if a certificate filed hereunder were a decree of a Civil Court.
57. Certificate Officer deemed to be a Court. A Certificate Officer shall be deemed to be a Court, and any proceeding before him shall be deemed to be a civil proceeding within the meaning of Section 14 of the Indian Limitation Act, 1908 (IX of 1908).
58. Penalties: Whoever fraudulently removes, conceals, transfers or delivers to any person any property or any interest therein, intending thereby to prevent that property or interest therein from being taken in execution of a certificate, shall be deemed to have committed an offence punishable under Section 206 of the Indian Penal Code (XLV of 1860).
59. Signature of documents by Ministerial Officers:  
(1) any certificate officer may, by written order, authorize any Ministerial Officer to sign, on behalf of the Certificate Officer, any copy, issued by the Certificate Officer under this Act, of any document referred to therein.  
(2) The State Government may, by notification in the official Gazette empower Certificate Officers to authorize Ministerial Officers, by written order, to sign on behalf of Certificate Officers any classes or original notices, summons or proclamations issued by Certificate Officer, under this Act which are specified in such notification.

## NOTES

Sections 60 to 64 have not been extended to Assam.

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### **SCHEDULE - I** **(See Sections 3(6) and 34(b))**

#### **PUBLIC DEMANDS**

1. Any arrears of revenue which remains due in the following circumstances, namely:  
When under the provisions of the Bengal Land Revenue Sales Act, 1859 (XI of 1859) or the Bengal Land Revenue Sales Act, 1868, (VII of 1868) or any other law for the time being in force, an estate or tenure, or any share of an estate or tenure, has been sold for the recovery of arrears of revenue due thereupon, and, after deducting the expenses of such sale, the balance of sale proceeds remaining is insufficient to liquidate the arrears of revenue in discharge of which such sale proceeds may, under the said provisions, be applied.
2. Any arrears of revenue which is due from a farmer on account of an estate held by him in farm and is not paid on the last day of payment fixed under Section 3 of the said Bengal Land Revenue Sales Act, 1859 (XI of 1859).
3. Any money which is declared by any law for the time being in force to be recoverable or realizable as an arrear of revenue or land revenue, or by the process authorized for the recovery of arrears of revenue or of the public revenue or of Government revenue.
4. Any money which is declared by any enactment for the time being in force -  
(i) to be a demand or a public demand; or  
(ii) to be recoverable as arrears of a demand or public demand, or as a demand or public demand; or  
(iii) to be recoverable under the Bengal Land Revenue Sales Act, 1868 (VII of 1868).
5. Any money due from the sureties of a farmer in respect of the revenue of the estate formed by him.
6. Any money awarded as fees or costs by a revenue authority under any law or any rule having the force of law.
7. Any demand payable to the Collector by a person holding any interest in land, pasturage, forest-rights, fisheries or the like, whether such interest is or is not transferable, when such demand is a condition for use and enjoyment of such land, pasturage, forest-rights, fisheries or other thing.
8. In the case of property which, under the provisions of any law for the time being in force, is under the charge of, or is managed by the Court or Wards, or the revenue authorities on

- behalf of a private individual any arrear of rent or any demand which is recoverable as rent, whether such arrears became due before or after the management developed upon such Court or such authorities.
9. Any money payable to an officer of the Government or any Local authority, in respect of which the person liable to pay the same has agreed, by a written instrument, duly registered, that it shall be recoverable as a public demand.
  - 9-A. Any money payable to the Government or to an officer to the Government in payment of a loan in cash or kind, in respect of which money, the person to whom the loan in cash or in kind was advanced, has agreed by written instrument that such money shall be recoverable as a public demand.
  10. Any stamp duly payable by a proprietor in respect of a paper of partition prepared under the Estates Partition Act, 1897 (Bengal Act V of 1897).
  11. In the case of a person to whom the collection of tolls has been formed under Section 8 of the Canals Act, 1864 (Bengal Act V of 1864), or of the sureties of such person any money due in respect of such firm.
  12. Any money awarded as compensation under Section 2 of the Bengal Land Sales Revenue Act, 1868 (Bengal Act VII of 1868).
  - 12-A Any sum ordered by a liquidator appointed under sub-section (1) of Section 42 of the Cooperative Societies Act, 1912 (II of 1912) to be recovered as a construction to the assets of a Society or as the cost of liquidation.
  13. Any money due from a purchaser at a sale held in execution of a certificate under this Act, whether the sale is subsisting or not.

**ANNEXURE – II**  
**Copy**  
**GOVERNMENT OF MEGHALAYA**  
**INFORMATION & PUBLIC RELATIONS DEPARTMENT**

**NOTIFICATION**

Dated Shillong, the 8<sup>th</sup> October, 2005.

**No.IPR.112/96/Pt.IV/275:** In exercise of the powers conferred by clauses (b) and (c) of sub-section (2) of section 27 of the Right to Information Act, 2005 (22 of 2005), the Government of Meghalaya hereby adapts the Right to Information (Regulation of Fee and Cost) Rules, 2005 made by the Central Government and published vide Notification No. GSR.34012/8(s)/2005 – Estt.(B), dated 16<sup>th</sup> September, 2005 in Part – II, Section 3, sub-section (1) of the Gazette of India.

Sd/-

**(H.Marwein)**

Commissioner & Secretary to the Govt. of  
Meghalaya, Information & Public Relations  
Department.

Memo.No.IPR.112/96/Pt.IV/275-A

Dated Shillong, the 8<sup>th</sup> October, 2005

Copy to:-

1. P.S. to the Chief Minister, for favour of information of the Chief Minister.
2. P.S. to the Deputy Chief Minister, for favour of information of the Deputy Chief Minister.
3. P.S. to all Ministers, for favour of information of the Minister.
4. P.S. to the Chief Secretary, Meghalaya for favour of information of the Chief Secretary.
5. P.S. to the Addl. Chief Secretary, for favour of information of the Addl. Chief Secretary.
6. All Principal Secretaries/Commissioner & Secretaries/Secretaries.
7. The Joint Secretary, (AT&A), Government of India, Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, North Block, New Delhi – 110001.
8. All Heads of Departments.
9. All Deputy Commissioners.
10. All Administrative Departments.
11. Director Printing & Stationery, Meghalaya, Shillong for favour of printing in the Meghalaya Gazette and to supply 500 copies to this Department.
12. The State Informatics Officer, NIC, Shillong for favour of information and necessary action.
13. Copy for File No. IPR.48/2005/Pt.I.

By Order etc.,

Deputy Secretary to the Govt. of Meghalaya,  
Information & Public Relations Department.  
COPY

(TO BE PUBLISHED IN PART-II, SECTION 3, SUB-SECTION (1) OF THE GAZETTE OF INDIA)

**Government of India**  
**Ministry of Personnel, Public Grievances and Pensions**  
**(Department of Personnel and Training)**

....

New Delhi, dated the 16<sup>th</sup> September, 2005

**Notification**

G.S.R.....In exercise of the powers conferred by clauses (b) and (c) of sub-section (2) of section 27 of the Right to Information Act, 2005 (22) of 2005. The Central Government hereby makes the following rules, namely:-

1. Short title and commencement – (1) These rules may be called the Right to Information (Regulation of Fee and Cost) Rules, 2005.  
(2) They shall come into force, on the date of their publication in the official Gazette.
2. Definitions – In the rules, unless the context otherwise requires,  
(a) ‘Act’ means the Right to Information Act, 2005;  
(b) ‘Section’ means section of the Act;  
(c) all other words and expressions used herein but not defined and defined in the Act shall have the meanings assigned to them in the Act.
3. A request for obtaining Information under sub-section (1) of section 6 shall be accompanied by an application fee of rupees ten by way of cash against proper receipt or by demand draft or bankers cheque payable to the Accounts officer of the public authority.
4. For providing the information under sub-section (1) of section 7, the fee shall be charged by way of cash against proper receipt or by demand draft or bankers cheque payable to the Accounts officer of the public authority at the following rates:-  
(a) rupees two for each page (In A-4 or A-3 size paper) created or copied;  
(b) actual charge or cost price of a copy in larger size paper; actual cost or price for samples or models’ and  
(c) for inspection of records no fee for the first hour; and a fee of rupees five for each fifteen minutes (or fraction thereof) thereafter.

5. For providing the Information under sub-section (5) of section 7, the fee shall be charged by way of cash against proper receipt or by demand draft or bankers' cheque payable to the Accounts officer of the public authority at the following rates;
- (a) for information provided in diskette or floppy rupees fifty per diskette of floppy and
  - (b) for information provided in printed form at the price fixed for such publication or rupees two per page of photocopy for extracts from the publication.

Sd/-  
**(Hari Kumar)**  
**Director.**

(F.No.34012/8(s)/2005-Estt(B))

To

The Manager,  
Government of India Press,  
Mayapuri, New Delhi.

(COPY)  
**GOVERNMENT OF MEGHALAYA**  
**DEPARTMENT OF INFORMATION & PUBLIC RELATIONS**

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**NOTIFICATION**

Dated Shillong, the 13<sup>th</sup> October, 2006

**No.IPR.48/2005/Pt.II/28:** In exercise of the power conferred by clauses (b) and (c) of sub-section (2) of section 27 of the Right to Information Act, 2005 (22 of 2005), the Government hereby adapts the Right to Information (Regulation of Fee and Cost) Amendment Rules 2006, made by the Central Government published vide Notification No. GSR.294(E) dated 17-5-2006 in Part – Section 3(i) of the Gazette of India.

Sd/-  
**Secretary,**  
Information & Public Relations Department.

Memo.No.IPR.48/2005/Pt.II/28-A

Dated Shillong, the 13<sup>th</sup> October, 2006

Copy to:-

1. P.S. to the Chief Minister, for favour of information of the Chief Minister.
2. P.S. to the Deputy Chief Minister, for favour of information of the Deputy Chief Minister.
3. P.S. to all Ministers, for favour of information of the Minister.
4. P.S. to the Chief Secretary, Meghalaya for favour of information of the Chief Secretary.
5. P.S. to the Addl. Chief Secretary, for favour of information of the Addl. Chief Secretary.
6. All Principal Secretaries/Commissioner & Secretaries/Secretaries.
7. The Joint Secretary, Govt. of India, Department of Personnel & Training, Ministry of Personnel, Public Grievances & Pensions, North Block, New Delhi – 110001.
8. Secretary, Meghalaya Information Commission.
9. Director of Information & Public Relations, Meghalaya, Shillong.
10. All Head of Departments.
11. All Deputy Commissioner.
12. All Administrative Departments.
13. Director of Printing & Stationery, Meghalaya, Shillong for favour of printing in the Meghalaya Gazette and to supply 500 copies to this Department.
14. The State Informatics Officer, NIC, Shillong for favour of information & necessary action.

By Order etc.,  
Deputy Secretary to the Govt. of Meghalaya,  
Information & Public Relations Department.

THE GAZETTE OF INDIA; EXTRAORDINARY (Part II-Section 3(i)

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS

**(Department of Personnel & Training)**

**NOTIFICATION**

New Delhi, the 17<sup>th</sup> May, 2006

**G.S.R. 294(E)** – In exercise of the powers conferred by clauses (b) and (c) of Sub-section (2) of Section 27 of the Right to Information Act, 2005 (22 of 2005), the Central Government hereby makes the following rules further to amend the Right to Information (Regulation of Fee and Cost) Rules, 2005, namely –

1. Short Title and Commencement – (1) These rules may be called the Right to Information (Regulation of Fee and Cost) Amendment Rules, 2006;  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Right to Information (Regulation of Fee and Cost) Rules, 2005
  - (a) in rule 3, after the word ‘bankers cheque’, the words ‘or Indian Postal Order’ shall be inserted;
  - (b) in rule 4, after the words ‘bankers cheque’, the words ‘or Indian Postal Order’ shall be inserted;
  - (c) in rule 5, after the words ‘bankers cheque’, the words ‘or Indian Postal Order’ shall be inserted;

[F.No.34012/8(s)/2005-Estt(B)]  
C.B.PALIWAL, Jt Secy.

Note:- The principles rules were published in the Gazette of India, Part II, Section 3, sub-section (i), dated the 1<sup>st</sup> October, 2005 vide number G.S.R. 336 dated the 16<sup>th</sup> September, 2005 and were amended vide number G.S.R. 649 (E) dated the 27<sup>th</sup> October, 2005.



**ANNEXURE – III**

**GOVERNMENT OF MEGHALAYA  
POLITICAL DEPARTMENT**

...

**ORDERS BY THE GOVERNOR**

**NOTIFICATION**

Dated Shillong, the 26<sup>th</sup> September, 2005

**No.POL.155/2005/Pt/16** – In pursuance of Section 24(4) of the Right to Information Act, 2005, the Governor of Meghalaya is pleased to notify that the following Organizations are exempted from the purview of the aforesaid Act in the State of Meghalaya.

1. The State Police Special Branch, Meghalaya, Shillong.
2. The District Special Branches of all the seven districts of Meghalaya.

Sd/-

**(Smti. R.V.Suchiang)**

Commissioner & Secretary to the Govt. of Meghalaya,  
Political Department.

Memo. No. POL.155/2005/Pt/16-A

Dated Shillong, the 26<sup>th</sup> September, 2005

Copy to:-

1. Private Secretary to the Chief Minister, Meghalaya, Shillong for information of the Chief Minister.
2. Private Secretary to the Deputy Chief Minister, I/c Information & Public Relations for information of the Deputy Chief Minister, Meghalaya, Shillong.
3. Private Secretary to the Deputy Chief Minister, I/c Home (Police), Meghalaya, Shillong.
4. Private Secretary to the Chief Secretary, for information of the Chief Secretary.
5. The Commissioner & Secretary, Home (Police), Govt. of Meghalaya for information and necessary action.
6. The Director General & Inspector General of Police, Meghalaya, Shillong for information.
7. The Deputy Secretary, Information & Public Relations for information and necessary action.
8. The Director, Printing & Stationery, Meghalaya, Shillong for favour of publication in the Gazette.

By order etc.,

Under Secretary to the Govt. of Meghalaya,  
Political Department.

ANNEXURE – IV

**DISTRIBUTION OF PIOs DISTRICT-WISE WITH URBAN/RURAL BREAK-UP**

Sl.No.	Name of Departments	East Khasi Hills District			West Khasi Hills District			Jaintia Hills District			Ri Bhoi District			East Garo Hills District			West Garo Hills District			South Garo Hills District			Meghalaya		
		T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R
1.	A.H. & Vety.	11	11	-	1	1	-	1	1	-	2	1	1	1	1	-	1	1	-	1	1	-	18	17	1
2.	Agriculture	8	8	-	3	3	-	3	3	-	3	3	-	3	3	-	4	4	-	3	3	-	27	27	-
3.	Arts & Culture	9	9	-	1	1	-	1	1	-			-	1	1	-	3	3	-	1	1	-	16	16	-
4.	Border Areas Dev.	3	3	-	-	-	-	1	1	-	-	-	-	-	-	-	1	1	-	1	1	-	6	6	-
5.	Cabinet Affairs	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-
6.	C.M.Secretariat	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-
7.	Communication	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-
8.	C&RD	3	3	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	9	9	-
9.	Cooperation	8	8	-	2	1	1	2	1	1	1	1	-	1	1	-	2	2	-	1	1	-	17	15	2
10.	District Council	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-
11.	Education	185	118	67	91	19	72	55	16	39	34	7	27	63	8	55	145	31	114	32	7	25	605	206	399
12.	Election	4	4	-	3	2	1	3	2	1	1	1	-	2	1	1	3	1	2	1	1	-	17	12	5
13.	ERTS	12	12	-	6	5	1	6	6	-	6	5	1	6	5	1	6	5	1	4	4	-	46	42	4
14.	Finance	15	15	-	4	3	1	4	4	-	2	2	-	3	2	1	4	2	2	2	2	-	34	30	4
15.	Fisheries	3	3	-	1	1	-	1	1	-	2	1	1	2	1	1	1	1	-	1	1	-	11	9	2
16.	Food & Civil Supply	4	4	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	10	10	-
17.	Forests	10	10	-	-	-	-	2	2	-	1	1	-	1	1	-	4	4	-	2	1	1	20	18	2
18.	GAD	9	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	9	9	-
19.	Health & F.W.	21	21	-	2	2	-	2	2	-	1	1	-	1	1	-	3	2	1	1	1	-	31	30	1
20.	Civil Defence	6	4	2	-	-	-	2	2	-	-	-	-	-	-	-	2	2	-	-	-	-	10	10	-

Sl. No.	Name of Departments	East Khasi Hills District			West Khasi Hills District			Jaintia Hills District			Ri Bhoi District			East Garo Hills District			West Garo Hills District			South Garo Hills District			Meghalaya			
		T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	
21.	Home(Police)	14	14	-	2	1	1	2	1	1	1	1	1	-	1	1	-	3	3	-	1	1	-	24	22	2
22.	Home (Jail)	3	3	-	-	-	-	1	1	-	-	-	-	-	1	1	-	1	1	-	-	-	-	6	6	-
23.	Home (Passport)	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	
24.	Housing	4	4	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	10	10	-	
25.	Industries	14	14	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	20	20	-	
26.	I.T.	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	
27.	I.P.R.	3	3	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	9	9	-	
28.	Labour	11	11	-	3	3	-	4	3	1	2	2	-	2	2	-	2	2	-	2	2	-	25	25	-	
29.	Law	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	2	-	
30.	Mining & Geology	3	3	-	-	-	-	1	1	-	-	-	-	1	1	-	-	-	-	-	-	-	5	5	-	
31.	Printing & Stationery	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	-	-	-	3	3	-	
32.	Parliamentary Affair	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	
33.	Personnel A.R	8	8	-	1	1	-	1	1	-	1	1	-	1	1	-	3	3	-	1	1	-	16	16	-	
34.	Planning	5	5	-	1	1	-	1	1	-	1	1	-	1	1	-	2	2	-	1	1	-	12	12	-	
35.	Political	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-	
36.	Power	19	19	-	1	1	-	5	4	1	11	1	10	3	3	-	5	5	-	-	-	-	44	33	11	
37.	PHE	14	12	2	3	3	-	2	2	-	2	1	1	3	2	1	3	3	-	1	1	-	28	24	4	
38.	PWD	18	17	1	5	3	2	7	7	-	3	2	1	4	3	1	10	7	3	2	2	-	49	41	8	
39.	Revenue & Disaster	4	4	-	3	2	1	3	2	1	1	1	-	2	1	1	4	2	2	1	1	-	18	13	5	
40.	SAD	4	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	4	4	-	
41.	Sericulture	3	3	-	2	2	-	2	2	-	4	2	2	2	2	-	2	2	-	2	2	-	15	15	-	

Sl.No	Name of Departments	East Khasi Hills District			West Khasi Hills District			Jaintia Hills District			Ri Bhoi District			East Garo Hills District			West Garo Hills District			South Garo Hills District			Meghalaya		
		T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R	T	U	R
42.	Social Welfare	10	10	-	3	3	-	2	2	-	-	1	-	1	1	-	5	5	-	1	1	-	23	23	-
43.	Soil & Water	5	5	-	1	1	-	1	1	-	2	1	1	1	1	-	2	2	-	1	1	-	13	12	1
44.	Sports & Youth	3	3	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	9	9	-
45.	Tourism	3	3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3	3	-
46.	Transport	5	5	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	11	11	-
47.	Urban Affairs	8	8	-				4	4	-				3	3	-	6	6	-	2	2	-	23	23	-
48.	Weight & Measure	4	4	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	1	1	-	10	10	-
49.	KHADC	6	6	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6	6	-
50.	GHADC	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1	-
51.	JHADC	2	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	2	2	-
<b>Grand Total</b>		<b>487</b>	<b>415</b>	<b>72</b>	<b>147</b>	<b>67</b>	<b>80</b>	<b>127</b>	<b>82</b>	<b>45</b>	<b>90</b>	<b>45</b>	<b>45</b>	<b>118</b>	<b>56</b>	<b>62</b>	<b>236</b>	<b>111</b>	<b>125</b>	<b>72</b>	<b>46</b>	<b>26</b>	<b>1277</b>	<b>822</b>	<b>455</b>