

A N N U A L R E P O R T

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Meghalaya State Information Commission,

Shillong, Meghalaya

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**Meghalaya State Information Commission
Annual Report - 2011**

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Chapter – I

Introduction

- 1.1 The Right to Information Act, 2005 has completed its sixth year of implementation in Meghalaya. During this period it was observed that the number of applications received by the Public Authorities have increased and no major issue have come up with regards to the implementation of the Act. Reports of harassment to some of the information seekers have been reported and were referred to the appropriate authorities for necessary action accordingly.
- 1.2 The response to the Act by the people of the State is very encouraging and this is evident from the fact that quite a number of requests have been made by a cross section of applicants, from the common and ordinary people in the rural areas to the elite and literate members of the urban society. However, being a new Act there is a need for creation of awareness through the length and breadth of the State, as many people in the rural areas are yet to realize the benefit that could accrue from getting the information relating to the schemes and projects in their areas.
- 1.3 The Commission has during the year under report, held hearings of complaints and appeals filed by the people of Garo Hills, in Tura West Garo Hills District. The intention of the Commission is to bring its function closer to the people and make it more convenient to them. In future, the Commission would like to conduct as many hearings as practicable in all the District headquarters of the State depending on the number of appeals and complaints received. In order to expedite hearings, the scope of using Video Conferencing also is being explored with the help of National Informatics Centre (NIC).
- 1.4 Judging by the limited number of appeals and complaints filed with the Commission, one gets the impression that the information seekers faced no problem in getting information from the public authorities. However, this could also be due to the fact that the information seekers did not want to pursue cases with the Appellate Authorities or file a complaint to the Commission for various reasons. Cases of complaints and appeals brought before the Commission have been dealt strictly in accordance with the provisions of the Act. Public Information Officers, who have been negligent or willingly denied the information to the applicants without any reasonable cause have been penalized.

1.5 . Shri G.P. Wahlang IAS (Rtd), the first State Chief Information Commissioner, appointed by the Government retired on the 3rd March 2011. His contributions as the first State CIC in setting up of the Commission and also his well reasoned judgments will always be remembered.

1.6 Section 25(1) of the Right to Information Act, 2005, requires the State Information Commission to prepare an Annual Report on the implementation of the provisions of the Act during that year as soon as practicable, after the end of each year forward a copy thereof to the Government under section 25(2). The State Government may as soon as practicable at the end of each year, cause a copy of the Annual Report of the State Information Commission in accordance with section 25(4) to be laid before the State Legislature.

1.7 The report highlights the number of requests made, vis-a-vis the response of the public authorities to these requests. Some important decisions of the Commission were also incorporated in the report so as to serve as references, case studies and guidance to the Public Authorities.

1.8 The Meghalaya State Information Commission is pleased to present to the State Government of Meghalaya its sixth report, for the period from 1st January 2011 to 31st December 2011.

Chapter - 2

Highlights of important activities of the Meghalaya State Information Commission.

2.1 The Meghalaya State Information Commission has been constituted vide Government of Meghalaya Notification No:IPR 48/2005/pt 11/10 dated 3.10.2005 read with Notification No-IPR 48/2005/52/11 dated 7.10.2005, with its Headquarters at Shillong. The present

incumbent, Shri C.D. Kynjing IAS (Rtd), assumed charge of the office of the Chief Information Commissioner on 7.7.2011.

The Meghalaya State Information Commission was constituted to exercise powers and to perform duties and functions as laid down under the provisions of the Act. Section 15(4) of the Act, provides that general superintendence, direction and management of the affairs of the State Information Commission shall vest in the State Chief Information Commissioner, who may exercise all such powers and do all such acts and things as may be exercised or done by the State Information Commission autonomously without being subjected to directions by any other authority under the Act.

The Right to Information Act, 2005, also prescribes that the State Government shall provide the State Chief Information Commissioner, with such officers and employees as may be necessary for the efficient performance of his duties and functions under the Act, and the salaries and allowances payable to and the terms and conditions of service shall be such as may be prescribed.

To enable the Commission to function effectively, the following posts have been created and filled up by the State Government:-

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	Personal Assistant to C.I.C.	1	-

6	Superintendent	1	1
7	U.D.A	1	0
8	Computer Assistant/Data Entry Operator	1	1
9	L.D.A.	1	1
10	Driver	2	2
11	Peons	4	2
12	Chowkidar	1	1

2.2 Official Address and Accomodation:

The Commission so far does not have its own building. However, the State Government vide order No-GAA 116/69/1319 dated 29-5-2007, had temporarily allotted accommodation to the Commission on the First Floor of the New Administrative Building, at Lower Lachumiere, Shillong.

The present official address of the Commission is as follows:-

Meghalaya State Information Commission,

New Administrative Building,

Lower Lachumiere,

Shillong – 793001

Phone No – (0364) 2500179

Website – www.megsic.gov.in

2.3 Nodal Department :

The Personnel & Administrative Reforms Department is the Nodal Department for the Information Commission. All matters, Administrative and financial are being taken up and routed through the Nodal Department. The Annual Report prepared by the Commission under Section 25 (1) of the Right to Information Act, 2005 is forwarded every year through the Nodal Department for laying the same before the Meghalaya Legislative Assembly.

2.4 Duties :

The State Information Commission functions as a 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.

2.5 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, To function as F.A.A. under the R.T.I. Act.
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. To function as P.I.O. under the R.T.I. Act.
4	Sr. P.S. to C.I.C.	Secretarial assistance and any other works assigned by the State Chief Information Commissioner.
5	Personal Assistant to 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	Computer Assistant	To provide computer assistance.
9	Grade IV including Drivers	To perform duties as assigned to them by the Secretary in routine course.

2.6 Names and designation and particulars of the Information Officers:

Sl.No.	Name of Public Authority	Name & Designation etc. of the Designated Appellate Authority	Names & Designation of the PIO
1	Meghalaya State Information Commission	Shri S.F. Khongwir, IAS (Retd.) Secretary	Smti G.S. Sangma, Under Secretary,

		<p>Meghalaya State Information Commission, Phone – 2500179 (Office) Address: Lowe Lachumiere Shillong – 793001, Meghalaya</p>	<p>Meghalaya State Information Commission, Phone – 2500179 (Office) 222025 (Res) Address: Lowe Lachumiere Shillong – 793001, Meghalaya</p>
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2.7 Budget & Accounts of the Commission:

The Budget for the State Information Commission is published in the Budget of the Government under Grant No: 13 under the Budget Head of Account “2251-Secretariat Social Services-Non-Plan and State Plan 090-Secretariat (12) Meghalaya Information Commission (RTI Act)-General Area Non-Plan”.

During the Financial year 2011-12, the Budget Provisions of the Commission and the actual expenditures are as follows:-

Detailed Head	Budget Head Description 2251-Secretariat Social Services-Non-Plan and State Plan 090-Secretariat (12) Meghalaya Information Commission (RTI Act)-General Area Non-Plan	(In ₹)	
		Budget Provision for the year 2011-2012	Expenditure upto 31-3-2012
01	Salaries	55,00,000/-	39,43,625/-
02	Wages	2,52,000/-	2,38,984/-
06	Medical Treatment	5,00,000/-	29,860/-
11	Domestic Travel Expenses	3,52,000/-	1,62,767/-
13	Office Expenses	5,10,000/-	5,04,427/-
16	Publications	4,50,000/-	37,569/-
21	Supplies & Materials	3,00,000/-	Nil
28	Professional Services	4,00,000/-	Nil
50	Other Charges	52,000/-	Nil
51	Motor Vehicles	1,60,000/-	Nil
52	Machinery & Equipment	62,000/-	Nil
Total		85,38,000/-	49,17,232/-

2.8 Activities undertaken by the Commission during the year:

(i) As already stated in the foregoing paragraphs, the main functions of the Commission are, receiving, hearing and disposal of complaints and appeals received by it. During the year 2011, the Commission received 39 numbers of complaints and appeals. In addition, there were 5 number of cases spilled over from the previous year i.e. 2010. There were all together 44 complaints and appeals for disposal by the Commission during the year. All 44 cases were disposed of during the year. A detail of receipt and disposal of complaints and appeals by the State Information Commission has been given in Chapter – 3 and Chapter – 4 of this Report.

(ii) Preparation and Publication of the Sixth Annual Report

(iii) During the year the Commission had also taken part in imparting training and attended awareness programmes organized by the Public Authorities and the Meghalaya Administrative Training Institute as follows:-

Date	Place	Nature of Programme attended
12.01.2011	MATI	R.T.I. Training for PIOs/APIOs of State & Central offices
08.02.2011	MATI	R.T.I. Training for NGOs & Media Persons
29.03.2011	MATI	R.T.I. Training for the new Inspectors of Taxes
06.04.2011	MATI	R.T.I. Training for Traditional Heads and Women Groups
19.04.2011	Nongstoin	Training on R.T.I. for all the District Heads
20.04.2011	MATI	Training on R.T.I. for Government Employees
08.06.2011	MATI	Training on R.T.I. for the Traditional Heads & NGOs
24.06.2011	MATI	Training on R.T.I. for the officials & staff of Power Grid
29.06.2011	MATI	Training on R.T.I. for the State & Central offices officials
06.07.2011	Sohra Civil Sub-Division	Awareness programme on R.T.I. for the Government officials, traditional Heads &

		NGOs.
11.07.2011	MATI	Training on R.T.I. for the officials of Power Grid.
27.07.2011	Nongpoh, D.C. office	Training on R.T.I. for the Government officials & District Heads.
02.08.2011	Jowai, D.C. office	Training on R.T.I. for the Government officials & District Heads.
21.09.2011	Tura	Hearings of Appeals & Complaints.
13.10.2011 to 15.10.2011	New Delhi	Attend Board of Governors of NFICI and Annual Convention on R.T.I.
16.11.2011	Tura	Hearing of Appeals/complaint at Tura
25.11.2011	Mawphlang C & RD Block	Awareness programme on R.T.I. for the beneficiaries
08.12.2011	Mawrykneng C & RD Block	Awareness programme on R.T.I. for the beneficiaries

The State Chief Information Commissioner also attended the Annual National Convention in New Delhi on 14th and 15th October, 2011. The function was also attended by the Central Chief Information Commissioner, State Chief Information Commissioners and State Information Commissioners of the State Information Commissions. The inaugural function was held on the 14th October 2011. Shri Satyananda Mishra, Central Information Commissioner, gave the welcome address and the inaugural address was given by Dr Manmohan Singh, hon'ble Prime Minister of India.

Chapter – 3

Disposal of Complaints by the State Information Commission.

3.1 Section 18(1) of the R.T.I. Act, 2005, empowers the State Information Commission to receive and inquire into a complaint from any person:-

- (a) Who has been unable to submit a request to any Public Information Officer, either by reason that no such officer has been appointed under this Act or because the State Assistant Public Information Officer has refused to accept his or her application for information or appeal under this Act for forwarding the same to the State Public Information Officer or a Senior Officer specified in Sub-Section (1) of section 19 of the R.T.I. Act.
- (b) Who has been refused access to any information requested under this Act.
- (c) Who has not been given a response to a request for information or access to information within the time limit specified under this Act.
- (d) Who has been required to pay an amount of fee which he or she considers unreasonable.
- (e) Who believes that he or she has been given incomplete, misleading or false information under this Act; and
- (f) In respect of any other matter relating to requesting or obtaining access to records under this Act.

While inquiring into such Complaint under the above section, the State Information Commission shall have the same Powers as that of the Civil Court under the Code of Civil procedure, 1908 in respect of the following matters namely:-

- (a) Summoning and enforcing attendance of Persons to give evidence or produce documents;
- (b) Requiring the discovery and inspection of documents;
- (c) Receiving evidence on affidavit;
- (d) Requisitioning any Public record or copies thereof from any court or office.
- (e) Issuing summons for examination of witnesses or documents and

(f) Any other matter which may be prescribed.

During the year 2011, a total number of 27 Complaints were received in the Commission. 4 Complaints were carried over from the previous year, i.e. 2010 and as such the total number of Complaints for disposal during the year, were 31 cases. These cases were disposed during the year. The Department wise break up of Complaints received and disposed during the year is given in Table 3.1.1. below:

Table 3.1.1

Department-wise receipt and disposal of Complaints by the Commission during 2011:

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 and acted upon	No. of Complaints Disposed and Rejected
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	C&RD		2	2	2	
2	Education	3	8	11	11	
3	Supply		1	1	1	
4	Mining		1	1	1	
5	D.C. West Garo Hills		1	1	1	
6	D.C. East Khasi Hills		2	2	2	
7	D.C. Jaintia Hills		1	1	1	
8	Home (Police)		1	1	1	
9	Power (MeSEB)		3	3	3	
10	P.H.E.	1	1	2	2	
11	Municipal Board		1	1	1	
12	Fisheries		1	1	1	
13	K.H.A.D.C.		4	4	4	

	Total	4	27	31	31	
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Details of the Complaints filed with the Commission are shown in the Table 3.1.2. below:

3.1.2. Details of the Complaints filed with the Commission:

During – 2011

1.	MIC/Complaint/41/2010/7 Dated 14-1-2011 (Recd. 7-12-2010)	Shri Dimimemon Tariang, Thangbuli Village, Jaintia Hills.	PIO-Headmaster, Amwi Secondary School, Govt. aided, Thangbuli, Jaintia Hills and Inspector of Schools, Jaintia Hills. (carry over from 2010)
2.	MIC/Complaint/42/2010/40 Dated 20-1-2011 (Recd. 3-12-2010)	Shri Dimimemon Tariang, Thangbuli Village, Jaintia Hills.	PIO- Inspector of Schools, Jaintia Hills. (carry over from 2010)
3.	MIC/Complaint/40/2010/9 Dated 27-1-11 (Recd. 11-11-2010)	Shri Emerald Siangshai, Wapung Skur, Village, PO Ladrymbai, Phone – 9863445321.	E.E., PHE, Rural Water Scheme, Jowai, Division, Jowai. (Carry bover from 2010)
4.	MIC/Complaint/2/2011/5 Dated 31-1-2011 (Recd. 6-1-2011)	Shri Praschant Narayanroa Chaudhury, Nagpur.	PIO, MeSEB, Shillong.
5.	MIC/Complaint/27/2010/59 Dated 7-2-2011 (Recd. 16-11-2010)	Shari Jayanta Chaborty, Lower Lumparing, Shillong	PIO, Headmaster, Laban Bengali Boys' Higher Secondary School, Shillong. (carry over from 2010)
6.	MIC/Complaint/1/2011/13 Dated 9-2-2011 (Recd. 4-1-2011)	Shri Richardstone Jana Nongbet, Nongthymmai, Shillong.	PIO, Khasi Hills Autonomous District Council, Shillong.
7.	MIC/Complaint/12/2011/4 Dated 14-7-2011 (Recd 2-5-2011)	Shri Prinson N. Marak, Addl. Secretary, All India Garo Union, Williamnagar	P.I.O., viz., Superintendent of Fisheries, Govt. of Meghalaya, East Garo Hills.

8.	MIC/Complaint/5/2011/ Dated 26-7-2011 (Recd 25-2-2011)	Smti Crydillash G. Momin, New Kench's Trace, Shillong, Ph - 9774376393	P.I.O., Headmaster, Garo Union Morning Secondary School, Shillong
9.	MIC/Complaint/4/2011/27 Dated 1-8-2011 (Recd. 14-2-2011)	Shri Dimimemon Tariang, Thangbuli, Jaintia Hills/	PIO, Deputy Inspector of Schools, Amlarem, Jaintia Hills.
10.	MIC/Complaint/13/2011/19 Dated 1-8-2011 (Recd. 10-5-2011)	Shri S.K.Sharma, Guwahati, Phone – 94351-44118.	PIO, Mining & Geology, Govt. of Meghalaya.
11.	MIC/Complaint/1/2011/25 Dated 9-8-2011 (Recd. 29-3-2011)	Shri Richardstone Jana Nongbet, Nongthymmai, Shillong, Ph – 9856024248	Shri C.Kharshiing, PIO, Khasi Hills Autonomous District Council, Shillong.
12.	MIC/Complaint/9/2011/ Dated 9-8-2011 (Recd. 29-3-2011)	Shri Richardstone Jana Nongbet, Nongthymmai, Shillong, Ph – 9856024248	Shri C.Kharshiing, PIO, Khasi Hills Autonomous District Council, Shillong.
13.	MIC/Complaint/10/2011, Dated 9-8-2011 (Recd. 29-3-2011)	Shri Richardstone Jana Nongbet, Nongthymmai, Shillong, Ph – 9856024248	Shri C.Kharshiing, PIO, Khasi Hills Autonomous District Council, Shillong.
14.	MIC/Complaint/6/2011/20 Dated 16-8-2011 (Recd. 22-2-2010)	Shri Sajeki Passah, Panaliar, Jowai, Phone – 9863101868.	PIO, DRDA, Jowai; PIO, DC (Election), Jowai; PIO, DC (Genl), Jowai.
15.	MIC/Complaint/3/2011/23 Dated 29-8-2011 (Recd. 14-2-2011)	Shri Richardstone Jana Nongbet, Nongthymmai, Shillong.	PIO, o/o D.C., East Khasi Hills District, Shillong.
16.	MIC/Complaint/11/2011/25 Dated 29-8-2011 (Recd. 31-3-2011)	Smti Bimalla M.Sangma, South Garo Hills, Baghmara.	PIO, & E.E., (Rev),Meghalaya Energy Corporation Limited Division, Williamnagar.
17.	MIC/Complaint/17/2010/12 Dated 6-9-2010	Shri Richardstone Jana Nongbet, Nongthymmai,	PIO, o/o D.C., East Khasi Hills District, Shillong.

	(Recd 17-8-2011)	Shillong.	
18.	MIC/Complaint/8/2011/23 Dated 12-9-2011 (Recd 27-3-11)	Shri Skhemborlang Sohtun, Lawsohtun, Shillong.	PIO, Shillong Municipal Board, Shillong.
19.	MIC/Complaint/16/2011/9 Dated 19-9-2011 (Recd on 5-8-11)	Shri Tur Khongmawloh, Nongkwai, Pynursla.	PIO, Joint Director, Supply, East Khasi Hills, Shillong.
20.	MIC/Complaint/15/2011/8 Dated 26-9-2011 (Recd 2-8-2011)	Shri W.Syiem, Finance Secy., H.N.Y.F., Bhoi Rymbong Cicle, Ri Bhoi District, Ph -9863864472.	PIO, BDO, Umsning C&RD Block, Umnsing.
21.	MIC/Complaint/18/2011/34 Dated 17-10-2011 (Recd 1-9-2011)	Rev A.T.Sohliya, Pynthorbah, Shillong, Ph – 8794705081	PIO, Martin Luther Christian University, Shillong.
22.	MIC/Complaint/19/2011/4 Dated 18-10-2011 (Recd 13-10-2011)	Shri Arbinson Thangkhiew, Parsonage Bishop Kuti, Near IGP Point, Shillong.	APIO, PHE Administrative Building, Lower Lachumiere, Shillong.
23.	MIC/Complaint/22/2011/6 Dated 8-11-2011 (Recd 10-10-2011)	Shri Mark J. West, Rngi Rynjah, Shillong, Ph – 9862150910	PIO, Directorate, School Education & Literacy, Govt. of Meghalaya.
24.	MIC/Complaint/24/2011/28 Dated 14-11-2011 (Recd 28-10-2011)	Shri Pradip Kurbah, Shillong.	PIO, Meghalaya Energy Corporation Limited, Shillong.
25.	MIC/Complaint/23/2011/8 Dated 16-11-2011 (Recd 7-10-11)	Shri Heubirth Marak, Bawegre, PO, Jenjal, West Garo Hills, Ph -9612140744.	Addl. Deputy Commissioner, in- charge Revenue, West Garo Hills, Tura.
26.	MIC/Complaint/31/2010/5 Dated 1-12-2011 (Recd 25-11-2011)	Shri J.K.Marak, Genl. Secy., Garo Student Union, Resubelpara Regional Unit, East Garo Hills.	PIO & BDO, Resubelpara C.D.Block, East Garo Hills.
27.	MIC/Complaint/21/2011/49	Shri M.J.West, Ryngi,	PIO & FAA, Directorate of School

	Dated 5-12-2011 (Recd 10-10-11)	Rynjah, Shillong.	Education & Literacy, Shillong.
28.	MIC/Complaint/21/2011/49 Dated 5-12-2011 (Recd 10-10-11)	Rev. A.T. Sohliya, C/o Jisoh Villa, Pdengshnong, Block- III, Pynthorumkhrah, Shillong – 793001, Ph - 9863115981	PIO & DAA, Martin Luther Christian University, Shillong
29.	MIC/Complaint/30/2011/22 Dated 19-12-2011 (Recd 21-11-11)	Rev Z.M.Sawkmie, Arbuthnot Road, Laitumkhrah, Shillong, Ph – 9856641661.	PIO, Martin Luther Christian University, Shillong.
30.	MIC/Complaint/29/2011/11 Dated 19-12-2011 (Recd 18-11-11)	Rev M.A.W.Lyngkhoi, John Roberst Theological Seminary, Mawklot, Shillong – 793009, Ph- 9774011052.	PIO, Martin Luther Christian University, Shillong.
31	MIC/Complaint/32/2011/7 Dated 19-12-2011 (Recd 28-11-11)	Smti Veronica Pala, Lumdiengmet, Umpling, Shillong – 793006, Ph – 9436119282.	PIO, Madanriting Police Station, East Khasi Hills, Shillong.

Table 3.1.3 below indicates the year wise disposal of Complaints by the Commission during the last six years

Table 3.1.3

Year	Total No. of Complaints	No. of Complaints disposed	No. of Complaints Rejected
2006	11	9	1
2007	39	38	13
2008	37	36	12
2009	47	45	12
2010	41	32	7

2011	31	31	-
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3.2 Reasons for filing Complaints to State Information Commission:

Most of the Complaints lodged with the Commission were due to violation of Section 18(1) (c) of the R.T.I. Act, that is failure on the part of the Public Information Officers to respond to requests for information or to access to information within the period prescribed by Law. In fact maximum of the Complaints filed were under this ground. The other major reason for Complaint falls under Section 18 (1) (b), that is refusing by the Public Information Officers to provide the information applied for.

Table 3.2.1 below gives a picture of Complaints under different sub-sections of Section 18 of the Right to Information Act.

Table 3.2.1.

Details of Sections and sub-sections under which Complaints were filled with the Commission:

Sections & Sub-Sections	No. of Complaints carried over from last year	No. of Complaints preferred during the year	Total No. of Complaints with the Commission	No. of Complaints disposed	No. of Complaints rejected
18 (1)(a)					
18 (1)(b)		5	5	5	
18 (1)(c)	4	20	24	24	
18 (1)(d)					
18 (1)(e)		1	1	1	
18 (1)(f)		1	1	1	
Total:-	4	27	31	31	

Chapter – 4

Hearing and disposal of Second Appeals by the Commission:

4.1 Another important function of the State Information Commission is to receive and hear appeals preferred by the Information seekers against the PIOs and Designated Appellate Authorities (DAA). Section 19 of the R.T.I. Act, 2005, provides that:-

(1) Any person who, does not receive a decision within the time specified in sub-section (1) or clause (a) of sub-section (3) of section 7, or is aggrieved by a decision of the Central Public Information Officer or State Public Information Officer, as the case may be, may within thirty days from the expiry of such period or from the receipt of such a decision prefer an appeal to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be, in each public authority:

Provided that such officer may admit the appeal after the expiry of the period of thirty days if he or she is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(2) Where an appeal is preferred against an order made by the Central Public Information Officer or a State Public Information Officer, as the case may be, under section 11 to disclose third party information, the appeal by the concerned third party shall be made within thirty days from the date of the order.

(3) A second appeal against the decision under sub-section (1) shall lie within ninety days from the date on which the decision should have been made or was actually received, with the Central Information Commission or the State Information Commission.

Provided that the Central Information Commission or the State Information Commission, as the case may be, may admit the appeal after the expiry of the period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) If the decision of the Central Public Information Officer or State Public Information Officer, as the case may be, against which an appeal is preferred relates to information of a third party, the Central Information Commission or State Information Commission, as the case may be, shall give a reasonable opportunity of being heard to that third party.

(5) In any appeal proceedings, the onus to prove that a denial of a request was justified shall be on the Central Public Information Officer or State Public Information Officer, as the case may be, who denied the request.

(6) An appeal under sub-section (1) or sub-section (2) shall be disposed of within thirty days of the receipt of the appeal or within such extended period not exceeding a total of forty-five days from the date of filing thereof, as the case may be, for reasons to be recorded in writing.

(7) The decision of the Central Information Commission or State Information Commission, as the case may be, shall be binding.

(8) In its decision, the Central Information Commission or State Information Commission, as the case may be, has the power to –

(a) require the public authority to take any such steps as may be necessary to secure compliance with the provisions of this Act, including –

(i) by providing access to information, if so requested, in a particular form;

(ii) by appointing a Central Public Information Officer or State Public Information Officer, as the case may be;

(iii) by publishing certain information or categories of information.

(iv) by making necessary changes to its practices in relation to the maintenance, management and destruction of records;

(v) by enhancing the provision of training on the right to information for its officials;

(vi) by providing it with an annual report in compliance with clause (b) of sub-section (1) of section 4.

(b) require the public authority to compensate the complainant for any loss or other detriment suffered.

(c) impose any of the penalties provided under this Act;

(d) reject the application.

During the year a total number of 12 appeals were received by the State Information Commission and 1 (one) appeal was carried over from the previous year. Hence there were all together 13 appeals available with the Commission for disposal during the year.

Out of these 13 (thirteen) appeals, 8 (eight) were disposed of and 5 (five) were rejected on legal and technical grounds.

Department-wise receipt and disposal of Second appeals by the State Information Commission is given in Table 4.1.1.

Table 4.1.1

Department-wise receipt and disposal of Appeals by the Commission:

Sl. No.	Name of the Department	No. of appeals pending with the Commission at the end of last year	No. of appeals preferred during the year	Total No. of appeals with the Commission	No. of Appeals Disposed	No. of Appeals Rejected
1	2	3	4	5	6	7
1	Home (Police)	-	4	4	3	1
2	Education	-	5	5	2	3
3	C & RD	-	1	1	1	-
4	PER&AR (MPSC)	1	-	1	1	-
5	DCA (KHADC)	-	2	2	1	1
TOTAL		1	12	13	8	5

4.2.1 Details and Particulars of the Appeals preferred to the Commission:

Appeal Disposed during - 2011

Sl.No.	Case No.	Name of Appellant	Name of PIO/Public Authority
1	MIC/Appeal/15/2010 Dated 14-1-2011 (Recd. 4-1-2011)	Shri Vijay Kumar Chopra, New Delhi	PIO & DAA, Meghalaya Police (CID), Meghalaya, Shillong.
2	MIC/Appeal/1/2011/28 Dated 19-1-2011	Shri Lyngkit Pakem, Nongbareh, Amlarem	PIO & BDO, Amlarem C.D. Block, Jaintia Hills.

	(Recd. 6-1-2011)	Sub-Division, Jaintia Hills	
3	MIC/Appeal/16/2010/34 Dated 27-1-2011 (Recd. 25-11-2010)	Smti Arlyne Sangma, West Garo Hills, Tura.	PIO, Meghalaya Public Service Commission, Shillong (carry over from 2010)
4	MIC/Appeal/5/2011/7 Dated 14-7-2011 (Recd. 11-7-2011)	Smti Agnes Kharshiing, Laitumkhrah, Shillong	PIO, AIG(E), Meghalaya, Shillong
5	MIC/Appeal/8/2011/21 Dated 26-7-2011 (Recd. 25-7-2011)	Rev. Z.M.Sawkmie, Shillong, Ph - 9856641661	PIO, DHTE, PIO, Education, PIO, MLCU, Shillong
6	MIC/Appeal/15/2010/26 Dated 5-8-2011 (Recd. May – 2011)	Shri Vijay Kumar Chopra, New Delhi	PIO & DAA, Meghalaya Police (CID), Meghalaya, Shillong
7	MIC/Appeal/8/2011/38 Dated 8-8-2011 (Recd. 8-8-2011)	Rev. Z.M.Sawkmie, Shillong, Ph - 9856641661	PIO, DHTE, PIO, Education, PIO, MLCU, Shillong
8	MIC/Appeal/2/2011/15 Dated 8-8-2011 (Recd. 22-3-2011)	Shri Mark J. West, Rngi Rynjah, Shillong, Ph - 9862150910	PIO, Directorate, School Education & Literacy, Govt. of Meghalaya
9	MIC/Appeal/7/2011/22 Dated 22-8-2011 (Recd. 15-7-2011)	Rev. Z.M.Sawkmie, Shillong, Phone - 9856641661	PIO, DHTE, PIO, Education, PIO, MLCU, Shillong
10	MIC/Appeal/4/2011/11 Dated 24-8-2011 (Recd. 9-6-2011)	Shri Sirinus S. Lyngdoh, Phlangdiloin, West Khasi Hills.	PIO, Acting Syiem, Langrin, Langrin Syiemship, West Khasi Hills
11	MIC/Appeal/9/2011/18 Dated 17-10-2011 (Recd. 11-8-2011)	Smti Agnes Kharshiing, Laitumkhrah, Shillong	PIO, AIG (A), Meghalaya, Shillong

12	MIC/Appeal/2/2011/27 Dated 20-10-2011) (Recd. 10-10-2011)	Shri Mark J. West, Rngi Rynjah, Shillong, Ph - 9862150910	PIO, Directorate, School Education & Literacy, Govt. of Meghalaya
13	MIC/Appeal/10/2011/ Dated 29-11-2011 (Recd. 18-8-2011)	Shri Freewelson Nyalang, Mawlong Village, Amlarem Sub-Division, Jaintia Hills, Ph - 9856962626	PIO & DAA, Jaintia Hills District Council, Jowai

Table 4.2.2 below indicates the year wise disposal of Second Appeals by the Commission during the last six years:

Table 4.2.2

Year	Total No. of Appeals	No. of Appeals Disposed	No. of Appeals Rejected
2006	6	6	3
2007	18	18	4
2008	23	20	7
2009	37	34	6
2010	17	14	1
2011	13	8	5

Chapter – 5

Penalties/Compensation and Disciplinary Action:

(Section 20 (1) of the R.T.I. Act, 2005)

5.1 Penalties imposed by the State Information Commission:

The State Information Commission under Section 19 (8) is empowered to impose penalties in accordance with the provisions laid down under the Act. Section 20 (1) of the Act, provides that, “where the Central Information Commission or State Information Commission” as the case may be, at the time of deciding any complaint or appeal is of the opinion that the Central Information Officer or State Information Officer, as the case may be, has without any reasonable cause refused to receive an application for information or has not furnished the information within the time specified under sub-section (1) of Section 7 malafidely denied the request for information or knowingly given incorrect incomplete or misleading information or destroyed information which was the subject of the request or obstructed in any manner in

furnishing the information it shall impose a penalty of two hundred and fifty rupees each day till application is received or information is furnished so however the total amount of such penalty shall not exceed twenty five thousand rupees.

Provided that the Central Information Officer or the State Information Officer, as the case may, shall be given a reasonable opportunity of being heard before any penalty is imposed on him.

Provided further that the burden of proving that he acted reasonably and diligently shall be on the Central Public Information Officer or the State Public Information Officer as the case may be.

While exercising the above Power, in every case, the Commission gave an opportunity to the PIO by issuing a show-cause notice to him/her asking to explain as to why penalty under Section 20 (1) should not be imposed against him/her for violation of the Provisions of the R.T.I. Act, 2005. It was only after hearing them and after examination and consideration of all the papers and documents available and produced before the Commission on record. It is only when the commission is convinced and after being satisfied that the PIO has contravened the law that the Commission imposed penalty on them.

The Commission in exercise of the above power has during the year 2011 imposed the following penalties as indicated in Table 5.1.1.

Table 5.1.1.

Penalties awarded during 2011 by the State Information Commission:

Sl.No.	Case No.	Name of the Complainants/ Appellants	Name of the PIO/Public Authorities	Amount of Penalty
1	MIC/Complaint/1/2011/ 25	Shri Richard Jana Nongbet, Nongthymai, Shillong	Shri C.Kharsiing, PIO, Khasi Hills Autonomous District Council, Shillong	`5,750/-
2	MIC/Complaint/16/2011/ 9	Shri Tur Khongmawloh, Nongkwai, Pynursla,	Shri C. Nongspung, Joint	`20,500/-

		East Khasi Hills District	Director Supply, East Khasi Hills, Shillong	
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The Commission in such cases allows sufficient time to the PIOs to deposit the amount of Penalty and the same was deposited in the Government Treasury under the appropriate Head of Account.

5.2 Compensation awarded by the State Information Commission:

The State Information Commission, is empowered under Section 19 (8) (b) of the R.T.I. Act, 2005, to direct the public authority to compensate the complainant or the appellant for any loss or other detriment suffered in the process of getting access to information.

During the year 2011 the State Information Commissioner, had awarded payment of compensation as indicated in the Table 5.2.1. as follows:-

Table 5.2.1.

Compensation awarded during 2011:

Sl.No.	Case No.	Name of the Complainants/ Appellants	Name of the PIO/Public Authority	Amount of Compensation
1	MIC/Complaint/13/2011/1 9	Shri S.K. Sharma, 30 Chandan Nagar, Beltola Guwahati	Shri C.K. Marak, PIO, Mining & Geology Department, Meghalaya	`1,500/-
2	MIC/Appeal/10/2011	Shri Freewelson Nyalang, Mawlang Village, Amlarem,	PIO & DAA Jaintia Hills Autonomous District Council,	`4,000/-

		Jaintia Hills District	Jowai	
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5.3 Disciplinary proceedings:

The State Information Commission did not recommend any disciplinary proceedings against any functionaries of any Public Authority during the year 2011.

Chapter – 6

Highlights of some of important decisions of the Commission.

Orders passed by the Commission during 2011:

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Appeal/9/2011/5,

Smti A. Kharshiing, President, C.S.W.O., Shillong - Appellant

-Vrs-

P.I.O., viz., A.I.G. (Admn.), Meghalaya, Shillong - Respondent

18-8-2011

ORDER

Perused second appeal dated 11th August, 2011, received in the Commission on 11.8.2011. The ground for appeal is against the Order dated 4-8-2011 passed by the F.A.A., (IGP).

The gist of the case was that, Smti Agnes Kharshiing had filed an RTI petition with the PIO office of the IGP, asking for certain information. The PIO, office of the DGP, refused to oblige her request on the grounds that the information asked for could not be disclosed according to Section 8 of the RTI Act. Smti Agnes Kharshiing aggrieved by the said order

of the PIO filed an appeal with the F.A.A. (IGP) praying the F.A.A., to direct the PIO to furnish the information as applied for.

Having received no information from the F.A.A., Smti Agnes Kharshiing filed a complaint to this Commission requesting to issue necessary orders to the F.A.A., to provide the information as requested.

Accordingly the Commission after examination of the case issued necessary orders directing the F.A.A., to furnish the information within 30 days.

The F.A.A., in compliance with the direction of the Commission , heard the appeal filed by Smti Agnes Kharshiing and passed the order dated 4-8-2011 rejecting her request on the ground that the information sought for could not be disclosed as it falls within the exemption provision of Section 8 of the RTI Act.

Aggrieved by the said order, the Appellant filed an appeal dated 11-8-2011 to this Commission requesting to pass necessary orders to set aside the order passed by the F.A.A., and to direct the PIO to furnish the information as the plea taken by them was not in accordance with the provisions of the RTI Act.

On perusal of the papers and documents on records, it appears that the F.A.A. had relied his stand under the exemption clauses of Section 8 of the RTI Act.

Apparently it appears there are grounds for admission of the Appeal. Register an appeal case.

Issue notice to the Respondent-DAA and PIO for show cause as to why this appeal should not be admitted and considered, with all supporting documents to support their claim.

Furnish a copy of the appeal to both the Respondent-DAA and PIO.

Fix 6th September, 2011 at 1:00 PM for hearing the case.

Inform parties accordingly.

(C.D.Kynjing)
C.I.C.

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Appeal/9/2011/17

Smti A. Kharshiing, President, C.S.W.O., Shillong - Appellant

-Vrs-

P.I.O., viz., A.I.G. (Admn.),o/o DGP, Meghalaya, Shillong - Respondent

6-9-2011

ORDER

Case records put up today.

The Appellant, Smti Agnes Kharshiing is present. The Respondent-PIO and the D.A.A., are also present, with the reply to the show cause notice on the appeal filed by the Appellant. A copy of the reply provided to the Appellant.

The case in brief is that the Appellant have sought information from the Police Headquarters on 1st June, 2011. The PIO has furnished a reply that information could not be supplied resorting to Section 8 of the RTI Act, 2005. On appeal, the D.A.A., also upheld the decision of the PIO and hence this appeal.

In her submission, the Appellant stated that the Police Headquarters have procured a number of Glock Pistols and in view of the sad incident in Jaintia Hills District, she would like to obtain the information as to how many such kind of sophisticated weapons were obtained and sent to Jaintia Hills, but her request was denied.

The D.A.A., of the Police Headquarters in his submission stated that the Glock Pistols are very sophisticated weapons and in view of the insurgency problem all over the State, it would not be in the public interest especially that of the personal security of the officers concerned that details be provided as to whom Glock Pistols have been issued.

On going through the application dated 1st June, 2011, it would appear to the Commission that the Appellant had asked for information on a range of issues of Glock Pistols such as numbers, date of manufacturing, to whom issued etc. Prima facie the Public Authority could have applied “ the doctrine of severability,” under section 10 of the RTI Act by segregating the information which could be supplied from those which they are of the view that exemption clause apply instead of rejecting outright. In the circumstances, it was decided that the matter be referred back to the Public Authority for re-examination as to what are the information which could be provided by applying section 10 of the Act. The Commission could then look at the rest of the issues as to whether it should be supplied or not and whether the plea of security could be resorted to under section 8 of the RTI Act. The D.A.A., and the Respondent-PIO have sought for time to sort out these issues.

Having heard the above submission, the hearing is adjourned till the next date before taking a final decision on the appeal.

Fix **17th October, 2011 at 11:30 AM.**

Inform parties accordingly.

(C.D.Kynjing)
C.I.C.

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Appeal/9/2011/18

Smti A. Kharshiing, President, C.S.W.O., Shillong

-

Appellant

-Vrs-

P.I.O., viz., A.I.G. (Admn.),o/o DGP, Meghalaya, Shillong - Respondent

17-10-2011

ORDER

Case records put up today.

The Respondent-PIO and the D.A.A., are present, with the written statement stating that the petition of the appellant be rejected under section 8 (1) of the RTI Act, 2005. The Appellant, Smti Agnes Kharshiing was absent without any information. Since the case has been pending for quite sometime and there are no specific issues involve which requires the presence of the Appellant as she had already made her submission during the last hearing, it was decided that the case be taken up.

Perused the written statement No.PHQ/RO/RTI/189/2011/49 dt 17/Oct/2011 filed by the D.A.A. in response to the order of the Commission dated 6.09.2011. In his submission the DAA has taken recourse under section 8(1)(a) of the RTI Act, 2005 stating that the disclosure of information as requested by the Appellant will involve the security interest of the state especially in light of terrorist elements spreading all over the State. Therefore, it involves the security of the Police personnel involved, if the details to whom such arms and ammunitions have been issued. Hence the information may not be disclosed and exempted under sec 8 (1) of the Act.

A reading of section 8(1)(a) of the RTI Act provides that there shall be no obligation to provide to any citizen seeking information, disclosure of which will affect the security of the State.

The Appellant has indicated in her application that in Section 8(2) of the RTI Act, 2005 “ not withstanding anything in the Official Secrets Act, 1923 nor any of the exemption permissible in accordance with sub-section (1) , public authority may allow access to information, if public interest in disclosure outweighs the harm to the protected interest”. She has submitted that information for purchase of Glock Pistols is not to be denied as public money has been spent for purchase and the people have every right to know when and where they were purchased from. She also mentioned in her petition

that the information sought does not outweigh the public interest and police personnel are Government servants and also been under the scrutiny and there is wrong information over the arm register of Jaintia Hills. According to the appellant, everyone including the terrorists knows that the Police are armed and giving of information on or when the arms has been sent or to whom it has been issued would not affect the personnel security at all.

Discussion :

The application of the appellant dated 1.06.2011 sought information on range of issues of Glock Pistols, such as numbers, date of manufacturing, to whom issued, and in particular the number of such pistols issued to each Districts including the 9mm which have been purchased and also to whom they have been issued. Though it may be a fact that it is a general presumption that Police are armed, but it will not be known as to what specific arms is issued to a particular officer. If this information is disclosed an officer may be targeted specifically and thus involve his security. The security of the state as provided in Sec 8(1)(a) could be interpreted in so many ways which also involves the threat and security to its law enforcing authorities especially the Police. The security of the Police personnel who are to enforce the law is definitely a public interest as they cannot be exposed to unnecessary risk. While it may be a fact that disclosure of how many such Glock Pistols and 9mm Pistols are available with the Police the date and cost of procurement will not be any security threat, it will be so if it was known particularly to whom such arms and ammunitions have been issued. If a particular arm is known to have been issued to a particular officer or it is known that such weapons are available with him in the present context, there is every likelihood of a threat to his life and security. The plea of the public interest in this case therefore appears not to exceed the security and life of a police officer. How the applicant has obtained information on the issue register of arms is not within the scope of enquiry by the Commission but suffice it to say that the Commission recognize the fact that threat to the security of a Police officer is involved if disclosure is made about the arms in his possession.

Conclusion :

Having heard the submission of the DAA and the statement by the Appellant, and the discussion above the Commission hereby orders that the public authority should apply “the doctrine of severability” under section 10 of the RTI Act, 2005 and the following information should be supplied to the Appellant without any cost:-

- (1) How many Glock Pistols have been purchased by the Meghalaya Police till date?
- (2) Please give year wise details of the purchase of the Glock Pistols?
- (3) Copy of the entry made with regards to procurement in the issue register at Police Headquarters
- (4) Please give their serials numbers?
- (5) When were they procured?
- (6) Copy of the bill, for the purchase of the Glock Pistols
- (7) Which Head of Account is debited for the purchase of the Glock Guns?
- (8) Xerox copy of the accounts sheet for the above debit
- (9) How many 9mm have been purchased so far by the Meghalaya Police till date?
- (10) Give year wise details and the serial numbers of the 9mm procured.
- (11) How much ammunitions was issued to Jaintia Hills for Glock Pistols and for 9mm?
- (12) Xerox copies of the issue orders for ammunitions for Glock Pistols and 9mm Pistols

Rest of the information is exempted from disclosure under Section 8(1)(a) of the RTI Act, 2005.

Fixed **18th .November 2011** for compliance.

(C.D.Kynjing)
C.I.C.

MEGHALAYA INFORMATION COMMISSION, SHILLONG

....

Case. No. MIC/Appeal/2/2011/9

Shri Mark J. West,

- Appellant

-Vrs-

PIO, Directorate of School Education & Literacy, Shillong
FAA, viz., the Director, School Education & Literacy, Shillong

}
Respondents

ORDER

21-7-2011 Seen the appeal petition filed by Shri M.J.West, regarding non-disposal of his appeal by the First Appellate Authority (FAA). Briefly the case is regarding non-furnishing of complete information by the PIO which was the main grounds for the appeal before the First Appellate Authority.

Apparently, it appears that the First Appeal has not been disposed of till date and there are grounds for admission of the Appeal.

Issue a show cause notice to the PIO and the First Appellate Authority in the office of the Director, School Education & Literacy, Meghalaya as to why the appeal should not be admitted and actions as prayed for by the Appellant be imposed. Furnish a copy of Appeal to the Respondents.

Fix **8-8-2011 at 12:00 Noon** for show cause and for hearing the case.

Inform all parties concerned accordingly.

(C.D.Kynjing)
C.I.C.

MEGHALAYA INFORMATION COMMISSION, SHILLONG

....

Case. No. MIC/Appeal/2/2011/15

Shri Mark J. West,

- Appellant

-Vrs-

PIO, Directorate of School Education & Literacy, Shillong
FAA, viz., the Director, School Education & Literacy, Shillong

}
Respondents

ORDER

8-8-2011 Case records put up today.

The appellant, Shri M.J.West was present. The First Appellate Authority of Directorate of School Education and Literacy, was also present. Seen the reply to the show cause notice submitted by the First Appellate Authority.

The case of the appellant is that, he submitted an application for RTI on 11-10-2010, which according to him was duly acknowledged by the PIO of Directorate of School Education and Literacy, Meghalaya. On receipt of the application, the information was asked from the St. John Bosco Boys' Higher Secondary School, Sohra with the direction that detail information should be furnished. However, he

did not receive any reply until the 25-11-2010 from the Dy. Director of the Directorate of School Education and Literacy. According to him the information requested by him was regarding decision taken by the Directorate of School Education and Literacy against his appeal for dismissal which was heard on 24-6-2010 and should have been available with the Directorate and should not have been asked from the School. Further, he submitted that as he is not satisfied with the information, he has filed an Appeal before the First Appellate Authority on 22-12-2010 and the appeal was not disposed of till date and hence this present appeal.

In his show cause, the First Appellate Authority has submitted that the PIO and the APIO for the Govt. Aided Schools are the Inspector of Schools, for the Secondary Schools and Deputy Inspector of Schools, for the Elementary Schools and the concerned Principals and the Headmasters are the APIOs. Though the appellant has submitted his application under RTI Act, 2005 to the Directorate of School Education and Literacy without the requisite fee and though strictly speaking the application was not valid yet the Deputy Director who is not a PIO has sent it to the APIO the Secretary, Managing Committee of the St. John Bosco Boys' Secondary School, Sohra. On receipt of the information from the School it was sent to Shri M.J. West on 25-11-2010. He further submitted that information is not available as no hearing was conducted but appellant was summoned to find facts of the case. The Directorate decided not to take any further action since the School was a private school and private sponsoring authority and its employees were employed by the Managing Committee and not by the Govt. and role of the Govt. is limited to giving financial assistance as grant-in-aid, conditions of the service for conduct of disciplinary etc. is prerogative of the School Managing Committee and it was the School Managing Committee who decided termination of the appellant.

According to the DAA, the appellant also has admitted that he has received the information of the School Managing Committee on 25-11-2010. Since the information has been furnished and received by the appellant, there is no cause for his appeal as information sought does not fall under the RTI Act, 2005 but his appeal is against the decision of the School Managing Committee.

Having heard the submission of both the parties, the issues which have been brought out in this appeal are:

(1) whether the application for information has been sought from the PIO of the Public Authority and processed properly in accordance with Section 7(1) of the RTI Act, 2005?

(2) Whether the appeal under section 19(1) of the RTI Act, 2005 filed by the appellant before the First Appellate Authority has been disposed of or not?

Discussions:

(1) According to Notification issued by the Education Department No.EDN.113/2007/40 Dated 17th May, 2007 and partially modified by Notification No.EDN.144/2005/320 Dated 16th September, 2010 it appears that the Joint Director of Directorate of School Education and Literacy, Meghalaya and D.I.s of Schools all over the State has been notified as PIOs and Headmasters/Headmistresses of Govt. /Govt. Deficit, U.P. Schools and Head Teachers /Govt./Govt. Deficit/Aided L.P. concerned are APIOs, and the Principals/Headmasters/Headmistresses/of Govt /Govt. Aided Secondary and Higher Secondary Schools as PIOs and the Inspector of Schools of the Districts concerned as Designate Appellate Authority which are still shown to be under the Directorate of Higher & Technical Education. From the records it is very clear that the application has been submitted to the Deputy Director, School Education and Literacy, who is neither the PIO nor the APIO as per the Notifications. In view thereof, the action taken by the Deputy Director, School Education and Literacy to call the information from the Secretary, School Managing Committee of St. John Boco Boys Higher Secondary, Sohra is not in accordance with the provision of the Act as neither of them has been notified as such. The application for information should have been transferred to the concerned PIO which was not done. Thus the application has not been submitted to the PIO of the Public Authority nor it has been processed in accordance with the provisions of the Act.

(2) During the submissions it clearly emerged that there were two different appeals viz., (a) the appeal by Shri M.J.West against his termination from service by the school authority which is pending before the Directorate of School

Education and Literacy and (b) the First Appeal before the public authority under section 19(1) of the RTI Act, 2005 for incomplete information supplied to him.

The Commission is only concerned with the appeal pending before the First Appellate Authority with regards to the incomplete information under RTI Act, 2005. On this issue, it was clear that the First Appellate Authority has not disposed of his appeal which was submitted on 22-12-2010.

On the basis of the discussion above, the Commission, is of the view that it is very unfortunate that the action taken by the Public Authority both in the manner in which the application was received, sent to the school and the failure to take action on the appeal indicate the apathy shown by the Public Authority towards the implementation of the RTI Act, 2005

The Commission hereby orders that:

- (1) The concerned PIO should furnish complete information within 7 days to the Appellant.
- (2) The First Appellate Authority should dispose of the appeal of Shri M.J.West with regards to his appeal under the RTI Act, 2005 within a period of 15 days.
- (3) The Public Authority should ensure that all the PIOs and APIOs notified under the Authority should be well conversant with the provisions of the Act and if necessary, training be imparted so that such kind of lapses do not occur in future

Fix 12-9-2011 for compliance.

Send a copy of this order to the Principal Secretary, Education Department for information and necessary action.

(C.D.Kynjing)
C.I.C.

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIAppeal/2/2011/27

Shri Mark J. West, Ryngi, Rynjah, Shillong

-

Appellant

- Vrs -

(1) P.I.O. viz., the Deputy Director, S.E.L., Shillong.

}

20-10-2011

ORDER

Seen petition dated 10-11-2011 received from Shri Mark J. West against the order of this Commission vide order dated 8th August, 2011. According to the petitioner the basis on which he has filed the review petition is that the Commission during the course of his hearing has prevented the PIO from furnishing all information relating to “**reasons**”, which according to the Commission does not amount “**information**” under the RTI Act, 2005.

According to Section 2(i) of the RTI Act, 2005 states “information” includes –

- (a) any documents, manuscripts and file;
- (b) any microfilm, microfiche and facsimile copy of a document;
- (c) any reproduction of image or images embodied in such microfilm (whether enlarged or not) and;
- (d) Any other material produced by a computer or any other device.

The Commission in its order has nowhere prevented the PIO from furnishing any records relating to the case, which is very clear from its order, where it states that “the concerned PIO should furnish complete information within 7 days to the Appellant”. Nowhere has it been mentioned in the order that the PIO was prevented from giving any reasons recorded in the files from disclosure. Further, it is to be noted that Right to Information is not about asking questions about “who” and “why”, it is more about inspection of documents or records or taking notes, abstracts of documents and records and obtaining certified copies. The petitioner could have asked for inspection of documents/files, if he is not satisfied with the reply of the respondent PIO. In view thereof and with reference to earlier orders, the Commission does not find any ground for review of its order dated 8th August, 2011, as no where has it prevented any kind of information or record available from being disclosed. The petition is dismissed.

(C.D.Kynjing)
C.I.C.

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Complaint/16/2011/9

Shri Tur Khongmawloh, Nongkwai, Pynursla, East Khasi Hills - Complainant

- Vrs -

The P.I.O., Deputy Commissioner (Supply), East Khasi Hills - Respondent

19-9-2011

ORDER

Case records put up today.

The Complainant, Shri Tur Khongmawloh was present. The Respondent-PIO, viz., the Joint Director, Supply, East Khasi Hills District was also present.

The case in brief was that the Complainant filed an application for information under RTI Act, 2005 on 13th April, 2011 before the PIO, Deputy Commissioner (Supply), East Khasi Hills District, Shillong along with the requisite application fee. However, he did not receive any reply nor any communication from the PIO and hence this Complaint.

The earlier hearing on 26-8-2011 was adjourned as the Complainant was not present. In his written show cause, the Respondent-PIO did not deny the fact that an application for RTI was filed by the Complainant on 13-4-2011 for providing him a number of information pertaining to the Fair Price Shop at Nongkwai. He claimed that the information was made ready on the 9-5-2011 and that the petitioner appeared before the Respondent-PIO on the 11-5-2011 and was asked to deposit an amount of `9/- for making available the information as desired. However, thereafter the Complainant never turned up nor did he deposit the required amount as intimated to him verbally.

In view of the position, he submitted that there is no denial nor refusal of the information to the Complainant since he was already explained to deposit an amount of `9/- before the information is furnished to him. Further, he submitted that it was not the first time the Complainant has applied for information under the RTI Act, 2005 and on previous occasions, the Complainant used to come and collect the reply personally and hence the Respondent-PIO was convinced that this time also he would come and collect the information as discussed. He submitted that this case is not a case of refusal or denial of information as he has no intention to do so and submitted that he may be exonerated of the penalty as provided under section 20(1) of the RTI Act, 2005.

The Complainant on the other hand flatly denied the fact that he was informed about the readiness of the information and that he should submit `9/- as the cost of copies and collect the reply. In view thereof, he prayed to the Commission that action according to

the provisions of the Act be taken against the PIO in view of the delay in furnishing the information to him.

The Respondent-PIO could not produce any evidence in support of his claim that the Complainant was informed about the readiness of the information and the need to deposit an amount of `9/- towards the cost of copies.

Placed in a situation as stated above, where there are claims and counter claims, the Commission has to look into evidence on records placed before it. The fact is that there is no record that the Respondent-PIO has furnished the information or informed the applicant that he should submit the cost of the copies which amounts to denial of information to the Complainant. Apparently, the Respondent-PIO has thus failed in his duty in furnishing the information as provided under the relevant sections of the Act.

The Commission having taking note of the position above has come to the conclusion that the Respondent-PIO has failed to furnish the information and directed that the information be supplied within one week from today. Further the Commission is constrained to resort to Section 20(1) of the RTI Act, 2005 and to impose a penalty on the Respondent-PIO for failing in his duties to comply with section 7(1) of the RTI Act, 2005 i.e. providing of information within 30 days of the application. The RTI was received on 13th April, 2011 the statutory period of 30 days ends on the 13th May, 2011. The number of days which the PIO has failed to comply with the Section 7(1) of the RTI Act, 2005 starts from 14th May, 2011 till 5th August, 2011 (date of receipt of the complaint) which is 82 days @ `250 per day. The Commission therefore hereby awarded a penalty of `20,500/- only to Shri C.R.Nongspung, the Respondent-PIO and Joint Director, Supply, East Khasi Hills District, as provided under section 20(1) of the RTI Act, 2005.

He is required to deposit the above amount by Treasury Challans to the State Bank of India under the Head of Account **“0070-Other Administrative Services etc., 60-Other Services, 118-Receipt under the Right to Information Act, 2005 Volume – I under:- (02) Fees & Fines for the Penalty Amount Imposed by the Commission”** within the period of 30 days from the date of this Order with intimation to this Commission.

Fix **31st October, 2011** for compliance.

Chapter – 7

Implementation of the Right to Information Act, 2005 in Meghalaya during 2011

7.1 The Right to Information Act, 2005, requires all the Government Departments to collect the relevant information from all the Public Authorities under their control and to furnish the same to the State Information Commission for preparation of the Annual Report for the year. The data contained in the Tables are compiled from the reports provided by the Public Authorities of the Government Departments. The data indicated in the Tables may not correctly reflect the full picture due to the fact that some Departments did not submit the relevant information called for by the Commission.

According to Section 25 (2) of the R.T.I. Act 2005, each Ministry or Department shall in relation to the Public Authorities within their Jurisdiction collect and provide such information to the Central Information or State Information Commission as the case may be, as is required to prepare the report under the section and comply with the requirements concerning the furnishing of that information and keeping of records for the purpose of this Section.

The Commission observes that inspite of the above legal provisions there were many Government Departments who are still hesitant to comply with the direction of the Commission.

7.2 Disposal of the Information request by the Public Information Officer

Section 25 (3) (a)

During the year 2011, a total number of 1068 requests were received by the Public Information Officers of those Public Authorities who have so far furnished their reports. The number of requests pending from the previous year were 6 hence the total number of requests available with the PIOs for disposal were 1074 cases. Out of these 1051 requests were disposed

of by the PIOs during the year, which accounts for 98%. The remaining requests of 17 in number were carried over to the next calendar year for disposal. The total numbers of requests rejected by the PIOs were 7 which is approximately less than 1% of the total number of requests applied for by the Information seekers.

7.2.1. Disposal of Information Requests by the Public Information Officers/Public Authorities

Reporting Year: 2011

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)	% of Cases Access to Information Denied*
1	2	3	4	5	6	7	8	9
1	<u>Agriculture</u>							
	Sectt.Deptt.							
	Dte.of Agri.	Nil	5	5	5	Nil	Nil	Nil
	Dte.of Hort	Nil	2	2	2	Nil	Nil	Nil
	C.E. Irrigation							
2	<u>Arts & Culture</u>							
	Sectt.Deptt.							
	Dte.of Arts & Culture	Nil	1	1	1	Nil	Nil	Nil
3	<u>A.H.&Vety.</u>							
	Sectt.Deptt.	Nil	7	7	7	Nil	Nil	Nil
	Dte.of A.H.&Vety							
4	<u>Border Areas Dev.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of BAD	Nil	6	6	6	Nil	Nil	Nil
5	<u>C.M.Secretariat</u>							
	Sectt.Deptt.	Nil	5	5	5	Nil	Nil	Nil
6	<u>Cabinet Affairs</u>							
	Sectt.Deptt.	Nil	3	3	3	Nil	Nil	Nil
7	<u>Communication</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
8	<u>C&RD</u>							
	Sectt.Deptt.							
	Dte.of C&RD	Nil	132	132	130	Nil	Nil	Nil
9	<u>Cooperation</u>							

	Sectt.Deptt.	Nil	2	2	2	Nil	Nil	Nil
	Registrar of Cooperative Societies	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Warehousing Corporation							
	Meghalaya Apex Handloom Weavers & Handicrafts	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MECOFED Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MSHF Coop.Society Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MSCU	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	The Meghalaya Coop. Apex Bank Ltd.	Nil	2	2	2	Nil	Nil	Nil
	Cooperative Federation Ltd.							
10	<u>District Council Affairs</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
	KHADC							
	JHADC							
	GHADC							
11	<u>Education</u>							
	Sectt.Deptt.							
	DHTE	Nil	68	68	68	Nil	Nil	Nil
	DEPT	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DEME							
	MBOSE							
	DSEL	Nil	4	4	4	Nil	Nil	Nil
12	<u>Elections</u>							
	Sectt.Deptt.	Nil	11	11	11	Nil	Nil	Nil
	C.E.O.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DCs	Nil	26	26	25	Nil	Nil	Nil
13	<u>E.R.T.S.</u>							
	Sectt.Deptt.							
	Com.Tax	3	28	31	31	Nil	Nil	Nil
	Com.Excise							
	Inspector General of Registration							
	Superintendent of Stamps							

	Registrar of Societies	Nil	3	3	3	Nil	Nil	Nil
	Dte.of Lottery	Nil	4	4	4	Nil	Nil	Nil
	Meghalaya Commission of Resource Mobilization							
14	<u>Finance</u>							
	Sectt.Deptt.							
	Dte.of Accounts & Treasuries							
	Dte.of Local Accounts	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Small Savings	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Institutional Finance							
	Finance (EC-1) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (Economic Affairs) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (PR) Deptt.	Nil	1	1	1	Nil	Nil	Nil
	Finance (Establishment) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
15	<u>Food & Civil Supplies</u>							
	Sectt.Deptt.							
	Dte.of Food & Civil Supplies	Nil	30	30	29	Nil	Nil	Nil
	Meghalaya State Consumer Disputes Redressal Commission	Nil	1	1	1	Nil	Nil	Nil
16	<u>Forest & Env.</u>							
	Sectt.Deptt.	Nil	12	12	12	Nil	Nil	Nil
	O/o PCCF	Nil	41	41	41	Nil	Nil	Nil
	O/o CCF (Social Forestry)	Nil	20	20	20	Nil	Nil	Nil
	O/o(Research/Training & Wildlife)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CCF	Nil	23	23	23	Nil	Nil	Nil

	(Territorial)							
	O/o CF (WL) Meghalaya Shillong	Nil	10	10	10	Nil	Nil	Nil
	O/o CF (WL) Tura	Nil	Nil	Nil	Nil	Nil	Nil	Nil
17	<u>Fisheries</u>							
	Sectt.Deptt.							
	Dte.of Fisheries	Nil	5	5	5	Nil	Nil	Nil
18	<u>G.A.D.</u>							
	Sectt.Deptt.	Nil	6	6	6	Nil	Nil	Nil
	Office Estate Officer							
	Sainik Welfare	Nil	1	1	1	Nil	Nil	Nil
	Zila Sainik Welfare							
	G.A.D. (B)	Nil	1	1	1	Nil	Nil	Nil
19	<u>Home (Police)</u>							
	Sectt.Deptt.	Nil	85	85	76	7	Nil	Nil
20	<u>Home Guards & Civil Defence</u>							
	Sectt.Deptt.							
	Dte. Of Civil Defence & Home Guards	Nil	Nil	Nil	Nil	Nil	Nil	Nil
21	<u>Home (Jails)</u>							
	Sectt.Deptt.							
	Director General of Prisons	1	17	18	18	Nil	Nil	Nil
22	<u>Home (Passport)</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
23	<u>Health & F.W.</u>							
	Sectt.Deptt.	Nil	15	15	15	Nil	Nil	Nil
	DHS (MI)	Nil	16	16	16	Nil	Nil	Nil
	DHS (MCH)	Nil	1	1	1	Nil	Nil	Nil
	DHS (R)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
24	<u>Housing</u>							
	Sectt.Deptt.							
	Dte.of Housing							
	Meghalaya State Housing Board							
25	<u>Industries</u>							
	Sectt.Deptt.	Nil	5	5	5	Nil	Nil	Nil
	Dte.of Commerce Industries	Nil	19	19	19	Nil	Nil	Nil

	MIDC	Nil	4	4	4	Nil	Nil	Nil
	MCCL	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MKVIB	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Handloom							
	MHHDC	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MBCL	Nil	Nil	Nil	Nil	Nil	Nil	Nil
26	<u>Information & Public Relations</u>							
	Sectt.Deptt.							
	Dte.of I.P.R.							
27	<u>Information Technology</u>							
	Sectt.Deptt.							
28	<u>Law(A)</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
29	<u>Labour</u>							
	Sectt.Deptt.							
	Dte.of Employment & Craftsmen Training	Nil	3	3	3	Nil	Nil	Nil
	O/o Administrative Medical Officer							
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner							
	Commandant of Civil Task Force	Nil	2	2	2	Nil	Nil	Nil
30	<u>Mining & Geology</u>							
	Sectt.Dept							
	Dte.of Mineral Resources	Nil	9	9	9	Nil	Nil	Nil
31	<u>Planning</u>							
	Sectt.Deptt.	Nil	2	2	2	Nil	Nil	Nil
	P.I.D.							
	Dte.of Economics & Statistics	Nil	1	1	1	Nil	Nil	Nil
	M.E.D.C.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Bio. Resource Development	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	Council, Shillong							
	State Council of Science & Technology & Environment, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Shillong Science Centre, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Planning Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Rural Development Society, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Resource & Employment Generation Council, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
32	<u>Personnel</u>							
	Personnel & A.R.(A)	Nil	21	21	21	Nil	Nil	Nil
	Personnel & A.R.(B) & SRC	Nil	5	5	5	Nil	Nil	Nil
	DC,EK Hills	Nil	54	54	52	Nil	Nil	Nil
	DC, Ribhoi District	Nil	15	15	15	Nil	Nil	Nil
	DC, Jaintia Hills	Nil	16	16	16	Nil	Nil	Nil
	DC, West Khasi Hills	Nil	8	8	8	Nil	Nil	Nil
	DC, West Garo Hills, Tura	Nil	10	10	9	Nil	Nil	Nil
	DC, East Garo Hills	Nil	17	17	17	Nil	Nil	Nil
	DC, South Garo Hills	Nil	1	1	1	Nil	Nil	Nil
	M.P.S.C.	Nil	9	9	8	Nil	Nil	Nil
	Commissioner of Divisions							
33	<u>Political</u>							
	Sectt.Deptt.	Nil	5	5	5	Nil	Nil	Nil
34	<u>P.H.E.</u>							
	Sectt.Deptt.							
	Chief Engineer	Nil	17	17	17	Nil	Nil	Nil
	Pollution Control	Nil	7	7	7	Nil	Nil	Nil

	Board							
35	<u>Power</u>							
	Sectt.Deptt.	Nil	2	2	2	Nil	Nil	Nil
	M.E.C. Ltd.	Nil	14	14	14	Nil	Nil	Nil
	MSERC	Nil	2	2	2	Nil	Nil	Nil
	MNREDA	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Senior Electrical Inspector Inspectorate of Electricity, Shillong	Nil	3	3	3	Nil	Nil	Nil
36	<u>Printing & Stationery</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Printing & Stationery	Nil	1	1	1	Nil	Nil	Nil
37	<u>P.W.D.</u>							
	Sectt.Deptt.	Nil	4	4	3	Nil	Nil	Nil
	C.E.PWD(R&B)	1	53	54	52	Nil	Nil	Nil
	C.E.PWD (NH)							
	C.E.PWD (B)	Nil	4	4	4	Nil	Nil	Nil
38	<u>Parliamentary Affairs</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
39	<u>Revenue & Disaster Management</u>							
	Sectt.Deptt.	Nil	4	4	4	Nil	Nil	Nil
	Meghalaya Board of Revenue	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.Land Records & Survey							
40	<u>SAD</u>							
	SAD (A)	Nil	2	2	2	Nil	Nil	Nil
	SAD (E)	Nil	2	2	2	Nil	Nil	Nil
	SAD (N)	Nil	1	1	1	Nil	Nil	Nil
	SAD (R)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
41	<u>Sports & Youth Affairs</u>							
	Sectt.Deptt.							
	Dte.of S.Y.A.	Nil	5	5	5	Nil	Nil	Nil
42	<u>Social Welfare</u>							
	Sectt.Deptt.							
	Dte.of Social Welfare	Nil	9	9	9	Nil	Nil	Nil

	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission for Women							
	Commissioner for Person with Disabilities	Nil	Nil	Nil	Nil	Nil	Nil	Nil
43	<u>Soil & Water Conservation</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
	Dte.of Soil & Water	Nil	20	20	20	Nil	Nil	Nil
44	<u>Sericulture & Weaving</u>							
	Sectt.Deptt.							
	Dte.of Sericulture	Nil	4	4	4	Nil	Nil	Nil
45	<u>Transport</u>							
	Sectt.Deptt.	Nil	6	6	6	Nil	Nil	Nil
	Comnr.of Transport	Nil	24	24	24	Nil	Nil	Nil
	M.T.C.	Nil	1	1	1	Nil	Nil	Nil
	D.T.O.	Nil	17	17	17	Nil	Nil	Nil
46	<u>Tourism</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
	Dte.of Tourism	Nil	13	13	13	Nil	Nil	Nil
	MTDC	Nil	5	5	5	Nil	Nil	Nil
47	<u>Urban Affairs</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
	Dte.of Urban Affairs	Nil	16	16	13	Nil	Nil	Nil
	Shillong Municipal Board	Nil	8	8	8	Nil	Nil	Nil
	Jowai Municipal Board	Nil	1	1	1	Nil	Nil	Nil
	MUDA	Nil	3	3	3	Nil	Nil	Nil
	Tura Municipal Board	1	2	3	3	Nil	Nil	Nil
	Williamnagar Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Resubelpara Municipal Board	Nil	2	2	2	Nil	Nil	Nil
48	<u>Metrology Department</u>							
	Sectt.Deptt.							

	Controller of Legal Metrology	Nil	1	1	1	Nil	Nil	Nil
49	<u>Meghalaya Legislative Assembly</u>	Nil	9	9	9	Nil	Nil	Nil
50	<u>Shillong Bench Gauhati High Court</u>							
51	<u>Governor's Secretariat Raj Bhavan, Shillong</u>	Nil	1	1	1	Nil	Nil	Nil
52	<u>Meghalaya State Information Commission</u>							
Total:		6	1068	1074	1051	7	Nil	Nil

Table 7.2.2 below indicates the year wise disposal of Requests during the last six years:

Table 7.2.2

Year	Total No. of Requests	No. of Requests Disposed	No. of Requests Rejected
2006	310	291	28
2007	537	492	10
2008	360	335	2
2009	676	652	4
2010	836	816	4
2011	1074	1051	7

7.3 Disposal of First appeals by the Designated Appellate Authority:

Section 19 (1) provides that – Any person who does not receive a decision within the time specified in Sub Section 11 (1) or Clause (a) of Sub-section (3) of Section 7, or is aggrieved by a decision of the Central Public Information Officer, or State Public Information Officer as the case may be, may within 30 days from the expiry of such period or from the receipt of such a

decision prefer an appeal (First appeal) to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be in each Public authority.

During the year 2011, 94 appeals were preferred before the Designated Appellate Authorities in the form of First Appeals, the appeals disposed of by the Designated Appellate Authorities are given in the Table 7.3.1 below :-

7.3.1 Disposal of First Appeals by the Designated Appellate Authorities:

Reporting Year: 2011

Sl. No	Name of Departments Public Authorities	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	% of First Appeals Rejected
1	2	3	4	5	6	7	8	9
1	<u>Agriculture</u>							
	Sectt.Deptt.							
	Dte.of Agri.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Hort	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	C.E. Irrigation							
2	<u>Arts & Culture</u>							
	Sectt.Dept.							
	Dte.of Arts & Culture	Nil	Nil	Nil	Nil	Nil	Nil	Nil
3	<u>A.H.&Vety.</u>							
	Sectt.Dept.							
	Dte.of A.H.&Vety	Nil	Nil	Nil	Nil	Nil	Nil	Nil
4	<u>Border Areas Dev.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of BAD	Nil	Nil	Nil	Nil	Nil	Nil	Nil
5	<u>C.M.Secretariat</u>							
	Sectt.Dept.	Nil	Nil	5	5	Nil	Nil	Nil
6	<u>Cabinet Affairs</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
7	<u>Communication</u>							

	Sectt.Dept	Nil	Nil	Nil	Nil	Nil	Nil	Nil
8	<u>C&RD</u>							
	Sectt.Dept.							
	Dte.of C&RD	Nil	Nil	11	11	Nil	Nil	Nil
9	<u>Cooperation</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Registrar of Cooperative Societies	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Warehousing Corporation							
	Meghalaya Apex Handloom Weavers & Handicrafts	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MECOFED Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MSHF Coop.Society Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MSCU	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	The Meghalaya Coop. Apex Bank Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Cooperative Federation Ltd.							
	10	<u>District Council Affairs</u>						
Sectt.Deptt.		Nil	Nil	Nil	Nil	Nil	Nil	Nil
KHADC								
JHADC								
GHADC								
11	<u>Education</u>							
	Sectt.Deptt.							
	DHTE	Nil	19	19	19	Nil	Nil	Nil
	DEPT	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DEME							
	MBOSE							
12	<u>Elections</u>							
	Sectt.Dept.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.O.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DCs	1	1	2	1	Nil	Nil	Nil
13	<u>E.R.T.S.</u>							

	Sectt.Dept.							
	Com.Tax	Nil	2	2	2	Nil	Nil	Nil
	Com.Excise							
	Inspector General of Registration							
	Superintendent of Stamps							
	Registrar of Societies	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Lottery	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Commission of Resource Mobilization							
14	<u>Finance</u>							
	Sectt.Deptt.							
	Dte.of Accounts & Treasuries							
	Dte.of Local Accounts	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Small Savings	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Institutional Finance							
	Finance (EC-1) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (Economic Affairs) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (PR) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (Establishment) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
15	<u>Food & Civil Supplies</u>							
	Sectt.Deptt.							
	Dte.of Food & Civil Supplies	Nil	10	10	9	Nil	Nil	Nil
	Meghalaya State Consumer Disputes Redressal Commission	Nil	1	1	Nil	Nil	Nil	Nil

16	<u>Forest & Env.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o PCCF	1	1	2	Nil	Nil	1	Nil
	O/o CCF (Social Forestry)	Nil	2	2	2	Nil	1	Nil
	O/o(Research/Training & Wildlife)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CCF (Territorial)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CF (WL) Meghalaya Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CF (WL) Tura	Nil	Nil	Nil	Nil	Nil	Nil	Nil
17	<u>Fisheries</u>							
	Sectt.Deptt.							
	Dte.of Fisheries	Nil	Nil	Nil	Nil	Nil	Nil	Nil
18	<u>G.A.D.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Office Estate Officer							
	Sainik Welfare	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Zila Sainik Welfare							
	G.A.D. (B)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
19	<u>Home (Police)</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
20	<u>Home Guards & Civil Defence</u>							
	Sectt.Deptt.							
	Dte. Of Civil Defence & Home Guards	Nil	Nil	Nil	Nil	Nil	Nil	Nil
21	<u>Home (Jails)</u>							
	Sectt.Deptt.							
	Director General of Prisons	Nil	4	4	4	Nil	Nil	Nil
22	<u>Home (Passport)</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
23	<u>Health & F.W.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	2	Nil	Nil	Nil
	DHS (MI)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DHS (MCH)	Nil	1	1	1	Nil	Nil	Nil
	DHS (R)	Nil	Nil	Nil	Nil	Nil	Nil	Nil

24	<u>Housing</u>							
	Sectt.Deptt.							
	Dte.of Housing							
	Meghalaya State Housing Board							
25	<u>Industries</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Commerce Industries	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MIDC	Nil	1	1	1	Nil	Nil	Nil
	MCCL	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MKVIB	Nil	1	1	1	Nil	Nil	Nil
	Meghalaya Handloom							
	MHHDC	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MBCL	Nil	Nil	Nil	Nil	Nil	Nil	Nil
26	<u>Information & Public Relations</u>							
	Sectt.Deptt.							
	Dte.of I.P.R.							
27	<u>Information Technology</u>							
	Sectt.Deptt.							
28	<u>Law (A)</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
29	<u>Labour</u>							
	Sectt.Deptt.							
	Dte.of Employment & Craftsmen Training	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o Administrative Medical Officer							
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner							
	Commandant of Civil Task Force	Nil	Nil	Nil	Nil	Nil	Nil	Nil
30	<u>Mining & Geology</u>							
	Sectt.Dept							
	Dte.of Mineral	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	Resources							
31	Planning							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	P.I.D.							
	Dte.of Economics & Statistics	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	M.E.D.C.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Bio. Resource Development Council, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	State Council of Science & Technology & Environment, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Shillong Science Centre, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Planning Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Rural Development Society, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Resource & Employment Generation Council, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
32	Personnel							
	Personnel & A.R.(A)	Nil	3	3	3	Nil	Nil	Nil
	Personnel & A.R. (B) & SRC	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC,EK Hills	Nil	18	18	15	Nil	1	Nil
	DC, Ribhoi District	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC, Jaintia Hills	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC, West Khasi Hills	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC, West Garo Hills, Tura	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC, East Garo Hills	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC, South Garo Hills	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	M.P.S.C.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner of Divisions							
33	<u>Political</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
34	<u>P.H.E.</u>							
	Sectt.Deptt.							
	Chief Engineer	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Pollution Control Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
35	<u>Power</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	M.E.C. Ltd.	Nil	2	2	2	Nil	Nil	Nil
	MSERC	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MNREDA	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Senior Electrical Inspector, Inspectorate of Electricity, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
36	<u>Printing & Stationery</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Printing & Stationery	Nil	Nil	Nil	Nil	Nil	Nil	Nil
37	<u>P.W.D.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.PWD(R&B)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.PWD (NH)							
	C.E.PWD (B)	Nil	1	1	1	Nil	Nil	Nil
38	<u>Parliamentary Affairs</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
39	<u>Revenue & Disaster Management</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Board of Revenue	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.Land Records & Survey							
40	<u>SAD</u>							
	SAD (A)	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	SAD (E)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (N)	Nil	1	1	Nil	Nil	Nil	Nil
	SAD (R)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
41	<u>Sports & Youth Affairs</u>							
	Sectt.Deptt.							
	Dte.of S.Y.A.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
42	<u>Social Welfare</u>							
	Sectt.Deptt.							
	Dte.of Social Welfare	Nil	1	1	2	Nil	Nil	Nil
	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission for Women							
	Commissioner for Person with Disabilities							
43	<u>Soil & Water Conservation</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Soil & Water	Nil	20	20	20	Nil	Nil	Nil
44	<u>Sericulture & Weaving</u>							
	Sectt.Deptt.							
	Dte.of Sericulture	Nil	Nil	Nil	Nil	Nil	Nil	Nil
45	<u>Transport</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Comnr.of Transport	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	M.T.C.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	D.T.O.	Nil	2	2	2	Nil	Nil	Nil
46	<u>Tourism</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
	Dte.of Tourism	Nil	1	1	Nil	1	Nil	Nil
	MTDC	5	Nil	5	5	Nil	Nil	Nil
47	<u>Urban Affairs</u>							
	Sectt.Deptt.							
	Dte.of Urban Affairs	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	Municipal Board							
	Jowai Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MUDA	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Tura Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Williamnagar Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Resubelpara Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
48	<u>Metrology Department</u>							
	Sectt.Deptt.							
	Controller of Legal Metrology	Nil	Nil	Nil	Nil	Nil	Nil	Nil
49	<u>Meghalaya Legislative Assembly</u>	Nil	Nil	Nil	Nil	Nil	Nil	Nil
50	<u>Shillong Bench Gauhati High Court</u>							
51	<u>Governor's Secretariat, Raj Bhavan, Shillong</u>	Nil	1	1	1	Nil	Nil	Nil
52	<u>Meghalaya State Information Commission</u>							

7.4 Information Requests rejected by the PIO/Public Authorities:

Section 7 (1) empowers the Public Information Officer to reject the request for any of the reason specified under section 8 and 9 of the Right to Information Act 2005.

The number of requests rejected by the PIOs/Public authorities is indicated in the Table 7.4.1. below:

7.4.1 Information Requests rejected by the PIOs/Public authorities:

Reporting Year: 2011

Sl. No	Name of Departments Public Authorities	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 Section
1	2	3	4	5	6	7	8
1	<u>Agriculture</u>						
	Sectt.Deptt.						
	Dte.of Agri.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Hort	Nil	Nil	Nil	Nil	Nil	Nil
	C.E. Irrigation						
2	<u>Arts & Culture</u>						
	Sectt.Dept.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Arts & Culture						
3	<u>A.H.&Vety.</u>						
	Sectt.Dept.						
	Dte.of A.H.&Vety	Nil	Nil	Nil	Nil	Nil	Nil
4	<u>Border Areas Dev.</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of BAD	Nil	Nil	Nil	Nil	Nil	Nil
5	<u>C.M.Secretariat</u>						
	Sectt.Dept.	Nil	Nil	Nil	Nil	Nil	Nil
6	<u>Cabinet Affairs</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
7	<u>Communication</u>						
	Sectt.Dept	Nil	Nil	Nil	Nil	Nil	Nil
8	<u>C&RD</u>						
	Sectt.Dept.						
	Dte.of C&RD	Nil	Nil	Nil	Nil	Nil	Nil
9	<u>Cooperation</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Registrar of Cooperative	Nil	Nil	Nil	Nil	Nil	Nil

	Societies						
	Meghalaya State Warehousing Corporation						
	Meghalaya Apex Handloom Weavers & Handicrafts	Nil	Nil	Nil	Nil	Nil	Nil
	MECOFED Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
	MSHF Coop.Society Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
	MSCU	Nil	Nil	Nil	Nil	Nil	Nil
	The Meghalaya Coop. Apex Bank Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
	Cooperative Federation Ltd.						
10	<u>District Council Affairs</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	KHADC						
	JHADC						
	GHADC						
11	<u>Education</u>						
	Sectt.Deptt.						
	DHTE	Nil	Nil	Nil	Nil	Nil	Nil
	DERT	Nil	Nil	Nil	Nil	Nil	Nil
	DEME						
	MBOSE						
12	<u>Elections</u>						
	Sectt.Dept.	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.O.	Nil	Nil	Nil	Nil	Nil	Nil
13	<u>E.R.T.S.</u>						
	Sectt.Dept.						
	Com.Tax	1	Nil	Nil	Nil	Nil	Nil
	Com.Excise						
	Inspector General of Registration						
	Superintendent of Stamps						
	Registrar of Societies	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Lottery Meghalaya						

	Commission of Resource Mobilization						
14	<u>Finance</u>						
	Sectt.Deptt.						
	Dte.of Accounts & Treasuries						
	Dte.of Local Accounts	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Small Savings	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Institutional Finance						
	Finance (EC-1) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (Economic Affairs) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (PR) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (Establishment) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
15	<u>Food & Civil Supplies</u>						
	Sectt.Deptt.						
	Dte.of Food & Civil Supplies	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Consumer Disputes Redressal Commission	Nil	Nil	Nil	Nil	Nil	Nil
16	<u>Forest & Env.</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	O/o PCCF	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CCF (Social Forestry)	Nil	Nil	Nil	Nil	Nil	Nil
	O/o(Research/Training & Wildlife)	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CCF (Territorial)	Nil	Nil	Nil	Nil	Nil	Nil

	O/o CF (WL) Meghalaya Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CF (WL) Tura	Nil	Nil	Nil	Nil	Nil	Nil
17	<u>Fisheries</u>						
	Sectt.Deptt.						
	Dte.of Fisheries	Nil	Nil	Nil	Nil	Nil	Nil
18	<u>G.A.D.</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Office Estate Officer						
	Sainik Welfare	Nil	Nil	Nil	Nil	Nil	Nil
	Zila Sainik Welfare						
	GAD (B)	Nil	Nil	Nil	Nil	Nil	Nil
19	<u>Home (Police)</u>						
	Sectt.Deptt.	7	7	Nil	Nil	Nil	Nil
20	<u>Home Guards & Civil Defence</u>						
	Sectt.Deptt.						
	Dte. Of Civil Defence & Home Guards	Nil	Nil	Nil	Nil	Nil	Nil
21	<u>Home (Jails)</u>						
	Sectt.Deptt.						
	Director General of Prisons	Nil	Nil	Nil	Nil	Nil	Nil
22	<u>Home (Passport)</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
23	<u>Health & F.W.</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	DHS (MI)	Nil	Nil	Nil	Nil	Nil	Nil
	DHS (MCH)	Nil	Nil	Nil	Nil	Nil	Nil
	DHS (R)	Nil	Nil	Nil	Nil	Nil	Nil
24	<u>Housing</u>						
	Sectt.Deptt.						
	Dte.of Housing						
	Meghalaya State Housing Board						
25	<u>Industries</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Commerce Industries	Nil	Nil	Nil	Nil	Nil	Nil
	MIDC	Nil	Nil	Nil	Nil	Nil	Nil

	MCCL	Nil	Nil	Nil	Nil	Nil	Nil
	MKVIB	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Handloom						
	MHHDC	Nil	Nil	Nil	Nil	Nil	Nil
	MBCL	Nil	Nil	Nil	Nil	Nil	Nil
26	<u>Information & Public Relations</u>						
	Sectt.Deptt.						
	Dte.of I.P.R.						
27	<u>Information Technology</u>						
	Sectt.Deptt.						
28	<u>Law (A)</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
29	<u>Labour</u>						
	Sectt.Deptt.						
	Dte.of Employment & Craftsmen Training	Nil	Nil	Nil	Nil	Nil	Nil
	O/o Administrative Medical Officer						
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner						
	Commandant of Civil Task Force	Nil	Nil	Nil	Nil	Nil	Nil
30	<u>Mining & Geology</u>						
	Sectt.Dept						
	Dte.of Mineral Resources	Nil	Nil	Nil	Nil	Nil	Nil
31	<u>Planning</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	P.I.D.						
	Dte.of Economics & Statistics	Nil	Nil	Nil	Nil	Nil	Nil
	M.E.D.C.	Nil	Nil	Nil	Nil	Nil	Nil
	Bio. Resource Development	Nil	Nil	Nil	Nil	Nil	Nil

	Council, Shillong						
	State Council of Science & Technology & Environment, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	Shillong Science Centre, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Planning Board	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Rural Development Society, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Resource & Employment Generation Council, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
32	<u>Personnel</u>						
	Personnel & A.R.(A)	Nil	Nil	Nil	Nil	Nil	Nil
	Personnel AR (B) & SRC	Nil	Nil	Nil	Nil	Nil	Nil
	DC,EK Hills	Nil	Nil	Nil	Nil	Nil	Nil
	DC, Ribhoi District	Nil	Nil	Nil	Nil	Nil	Nil
	DC, Jaintia Hills	Nil	Nil	Nil	Nil	Nil	Nil
	DC, West Khasi Hills	Nil	Nil	Nil	Nil	Nil	Nil
	DC, West Garo Hills, Tura	Nil	Nil	Nil	Nil	Nil	Nil
	DC, East Garo Hills	Nil	Nil	Nil	Nil	Nil	Nil
	DC, South Garo Hills	Nil	Nil	Nil	Nil	Nil	Nil
	M.P.S.C.	1	1	Nil	Nil	Nil	Nil
	Commissioner of Divisions						
33	<u>Political</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
34	<u>P.H.E.</u>						
	Sectt.Deptt.						
	Chief Engineer	Nil	Nil	Nil	Nil	Nil	Nil

	Pollution Control Board	Nil	Nil	Nil	Nil	Nil	Nil
35	<u>Power</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	M.E.C. Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
	MSERC	Nil	Nil	Nil	Nil	Nil	Nil
	MNREDA	Nil	Nil	Nil	Nil	Nil	Nil
	Senior Electrical Inspector Inspectorate of Electricity, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
36	<u>Printing & Stationery</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Printing & Stationery	Nil	Nil	Nil	Nil	Nil	Nil
37	<u>P.W.D.</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.PWD(R&B)	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.PWD (NH)						
	C.E.PWD (B)	Nil	Nil	Nil	Nil	Nil	Nil
38	<u>Parliamentary Affairs</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
39	<u>Revenue & Disaster Management</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Board of Revenue	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.Land Records & Survey						
40	<u>SAD</u>						
	SAD (A)	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (E)	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (N)	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (R)	Nil	Nil	Nil	Nil	Nil	Nil
41	<u>Sports & Youth Affairs</u>						
	Sectt.Deptt.						
	Dte.of S.Y.A.	Nil	Nil	Nil	Nil	Nil	Nil
42	<u>Social Welfare</u>						

	Sectt.Deptt.						
	Dte.of Social Welfare	Nil	Nil	Nil	Nil	Nil	Nil
	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission for Women						
	Commissioner for Person with Disabilities						
43	<u>Soil & Water Conservation</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Soil & Water	Nil	Nil	Nil	Nil	Nil	Nil
44	<u>Sericulture & Weaving</u>						
	Sectt.Deptt.						
	Dte.of Sericulture	Nil	Nil	Nil	Nil	Nil	Nil
45	<u>Transport</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Comnr.of Transport	Nil	Nil	Nil	Nil	Nil	Nil
	M.T.C.	Nil	Nil	Nil	Nil	Nil	Nil
	D.T.O.	Nil	Nil	Nil	Nil	Nil	Nil
46	<u>Tourism</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Tourism	Nil	Nil	Nil	Nil	Nil	Nil
	MTDC	Nil	Nil	Nil	Nil	Nil	Nil
47	<u>Urban Affairs</u>						
	Sectt.Deptt.						
	Dte.of Urban Affairs	Nil	Nil	Nil	Nil	Nil	Nil
	Shillong Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil
	Jowai Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil
	MUDA	Nil	Nil	Nil	Nil	Nil	Nil
	Tura Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil
	Williamnagar Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil
	Resubelpara	Nil	Nil	Nil	Nil	Nil	Nil

	Municipal Board						
48	<u>Metrology Department</u>						
	Sectt.Deptt.						
	Controller of Legal Metrology	Nil	Nil	Nil	Nil	Nil	Nil
49	<u>Meghalaya Legislative Assembly</u>	Nil	Nil	Nil	Nil	Nil	Nil
50	<u>Shillong Bench Gauhati High Court</u>						
51	<u>Governor's Secretariat Raj Bhavan, Shillong</u>	Nil	Nil	Nil	Nil	Nil	Nil
52	<u>Meghalaya State Information Commission</u>						

7.5 Amount of fees & other charges collected by each Public authority:

A total amount of ₹ 47,781/- was collected by the PIOs/Public authorities in the form of fees and charges during the year 2011. Out of this an amount of ₹ 6,610/- was collected under Section 4(4) of the Act, being the cost of the printed materials in which form the information was provided. ₹ 8,836/- was the fee of the applications collected under Section 6(1) of the Act. An amount of ₹25,214/- was collected under Section 7(1) against the cost of the photo copies made. ₹ 5,179/- was the cost of information provided in Electronic format. A sum of ₹1,942/- was collected as other miscellaneous charges for the Public Information Officers/Public authorities.

The details of the fees and other charges collected Department-wise is indicated in Table 7.5.1 below:

7.5.1 Amount of Fees and other Charges collected by the PIOs/Public Authorities:

Reporting Year: 2011

Sl. No	Name of Departments Public Authorities	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	8
1	<u>Agriculture</u>						
	Sectt.Deptt.						
	Dte.of Agri.	Nil	50	610	Nil	Nil	660
	Dte.of Hort	Nil	22	Nil	Nil	Nil	22
	C.E. Irrigation						
2	<u>Arts & Culture</u>						
	Sectt.Dept.						
	Dte.of Arts & Culture	Nil	10	Nil	Nil	Nil	10
3	<u>A.H.&Vety.</u>						
	Sectt.Dept.						
	Dte.of A.H.&Vety	Nil	Nil	30	Nil	Nil	30
4	<u>Border Areas Dev.</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of BAD	978	50	Nil	Nil	Nil	1028
5	<u>C.M.Secretariat</u>						
	Sectt.Dept.	Nil	50	Nil	Nil	Nil	50
6	<u>Cabinet Affairs</u>						
	Sectt.Deptt.	Nil	40	1454	Nil	Nil	1494
7	<u>Communication</u>						
	Sectt.Dept	Nil	Nil	Nil	Nil	Nil	Nil
8	<u>C & RD</u>						

	Sectt.Dept.						
	Dte.of C&RD	Nil	1540	8482	3080	Nil	13102
9	<u>Cooperation</u>						
	Sectt.Deptt.	Nil	20	Nil	Nil	30	50
	Registrar of Cooperative Societies	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Warehousing Corporation						
	Meghalaya Apex Handloom Weavers & Handicrafts	Nil	Nil	Nil	Nil	Nil	Nil
	MECOFED Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
	MSHF Coop.Society Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
	MSCU	Nil	Nil	Nil	Nil	Nil	Nil
	The Meghalaya Coop. Apex Bank Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
	Cooperative Federation Ltd.						
	10	<u>District Council Affairs</u>					
Sectt.Deptt.		Nil	10	Nil	Nil	Nil	10
KHADC							
JHADC							
GHADC							
11	<u>Education</u>						
	Sectt.Deptt.						
	DHTE	Nil	220	487	Nil	Nil	707
	DEPT	Nil	Nil	Nil	Nil	Nil	Nil
	DEME						
	MBOSE						
	DSEL	92	60	Nil	Nil	Nil	152
12	<u>Elections</u>						
	Sectt.Dept.	Nil	110	Nil	Nil	12	122
	C.E.O.	Nil	Nil	Nil	Nil	Nil	Nil
	DCs	Nil	20	Nil	Nil	Nil	20
13	<u>E.R.T.S.</u>						
	Sectt.Dept.						
	Com.Tax	Nil	120	368	Nil	Nil	488

	Com.Excise						
	Inspector General of Registration						
	Superintenden t of Stamps						
	Registrar of Societies	Nil	30	Nil	Nil	Nil	30
	Dte.of Lottery						
	Meghalaya Commission of Resource Mobilization						
14	<u>Finance</u>						
	Sectt.Deptt.						
	Dte.of Accounts & Treasuries						
	Dte.of Local Accounts	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Small Savings	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Institutional Finance						
	Finance (EC-1) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (Economic Affairs) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (PR) Deptt.	50	Nil	Nil	Nil	Nil	50
	Finance (Establishment) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
15	<u>Food & Civil Supplies</u>						
	Sectt.Deptt.						
	Dte.of Food & Civil Supplies	160	154	Nil	Nil	811	1125
	Meghalaya State Consumer Disputes Redressal Commission	Nil	206	Nil	Nil	Nil	206

16	<u>Forest & Env.</u>						
	Sectt.Deptt.	Nil	30	190	Nil	Nil	220
	O/o PCCF	Nil	260	1586	Nil	Nil	1846
	O/o CCF (Social Forestry)	20	110	26	110	20	286
	O/o(Research/ Training & Wildlife)	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CCF (Territorial)	4	222	Nil	Nil	Nil	226
	O/o CF (WL) Meghalaya Shillong	40	40	Nil	Nil	Nil	80
	O/o CF (WL) Tura	Nil	Nil	Nil	Nil	Nil	Nil
17	<u>Fisheries</u>						
	Sectt.Deptt.						
	Dte.of Fisheries	5	50	50	50	50	205
18	<u>G.A.D.</u>						
	Sectt.Deptt.	Nil	60	Nil	76	Nil	136
	Office Estate Officer						
	Sainik Welfare	Nil	10	Nil	Nil	Nil	10
	Zila Sainik Welfare						
G.A.D. (B)	Nil	Nil	Nil	Nil	Nil	Nil	
19	<u>Home (Police)</u>						
	Sectt.Deptt.	424	960	198	134	Nil	1716
20	<u>Home Guards & Civil Defence</u>						
	Sectt.Deptt.						
	Dte. Of Civil Defence & Home Guards	Nil	Nil	Nil	Nil	Nil	Nil
21	<u>Home (Jails)</u>						
	Sectt.Deptt.						
	Director General of Prisons	Nil	80	Nil	20	Nil	100
22	<u>Home</u>						

	<u>(Passport)</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
23	<u>Health & F.W.</u>						
	Sectt.Deptt.	Nil	60	Nil	Nil	Nil	60
	DHS (MI)	Nil	160	Nil	985	Nil	1145
	DHS (MCH)	Nil	10	Nil	Nil	Nil	10
	DHS (R)	Nil	Nil	Nil	Nil	Nil	Nil
24	<u>Housing</u>						
	Sectt.Deptt.						
	Dte.of Housing						
	Meghalaya State Housing Board						
25	<u>Industries</u>						
	Sectt.Deptt.	Nil	10	Nil	Nil	Nil	10
	Dte.of Commerce Industries	Nil	170	1336	1	Nil	1507
	MIDC	Nil	280	Nil	Nil	Nil	280
	MCCL	Nil	Nil	Nil	Nil	Nil	Nil
	MKVIB	Nil	10	Nil	Nil	Nil	10
	Meghalaya Handloom						
	MHHDC	Nil	Nil	Nil	Nil	Nil	Nil
	MBCL	Nil	Nil	Nil	Nil	Nil	Nil
26	<u>Information & Public Relations</u>						
	Sectt.Deptt.						
	Dte.of I.P.R.						
27	<u>Information Technology</u>						
	Sectt.Deptt.						
28	<u>Law (A)</u>						
	Sectt.Deptt.	Nil	10	40	Nil	Nil	50
29	<u>Labour</u>						
	Sectt.Deptt.						
	Dte.of Employment & Craftsmen Training	Nil	40	Nil	Nil	Nil	40
	O/o						

	Administrative Medical Officer						
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner						
	Commandant of Civil Task Force	Nil	10	Nil	Nil	Nil	10
30	<u>Mining & Geology</u>						
	Sectt.Dept						
	Dte.of Mineral Resources	Nil	90	Nil	Nil	Nil	90
31	<u>Planning</u>						
	Sectt.Deptt.	Nil	10	Nil	Nil	Nil	10
	P.I.D.						
	Dte.of Economics & Statistics	Nil	10	25	Nil	Nil	35
	M.E.D.C.	Nil	Nil	Nil	Nil	Nil	Nil
	Bio. Resource Development Council, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	State Council of Science & Technology & Environment, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	Shillong Science Centre, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Planning Board	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Rural Development Society, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Resource &	Nil	Nil	Nil	Nil	Nil	Nil

	Employment Generation Council, Shillong						
32	<u>Personnel</u>						
	Personnel & A.R.(A)	Nil	60	Nil	Nil	50	110
	Personnel (B) & SRC	Nil	50	210	Nil	28	288
	DC,EK Hills	698	14	Nil	Nil	811	1523
	DC, Ribhoi District	Nil	90	30	Nil	Nil	120
	DC, Jaintia Hills	Nil	160	78	Nil	Nil	238
	DC, West Khasi Hills	20	32	Nil	Nil	Nil	52
	DC, West Garo Hills, Tura	Nil	100	56	Nil	Nil	156
	DC, East Garo Hills	768	80	Nil	Nil	Nil	848
	DC, South Garo Hills	462	Nil	Nil	Nil	Nil	462
	M.P.S.C.	Nil	90	Nil	180	Nil	270
	Commissioner of Divisions						
33	<u>Political</u>						
	Sectt.Deptt.	Nil	50	Nil	4	Nil	54
34	<u>P.H.E.</u>						
	Sectt.Deptt.						
	Chief Engineer	90	64	Nil	42	Nil	196
	Pollution Control Board	Nil	20	Nil	Nil	Nil	20
35	<u>Power</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	M.E.C. Ltd.	Nil	120	80	Nil	Nil	200
	MSERC	Nil	Nil	Nil	Nil	Nil	Nil
	MNREDA	Nil	Nil	Nil	Nil	Nil	Nil
	Senior Electrical Inspector, Inspectorate of Electricity, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
36	<u>Printing & Stationery</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Printing	10	10	10	10	Nil	40

	& Stationery						
37	<u>P.W.D.</u>						
	Sectt.Deptt.	Nil	30	Nil	Nil	Nil	30
	C.E.PWD(R&B)	330	530	1350	Nil	Nil	2210
	C.E.PWD (NH)						
	C.E.PWD (B)	Nil	40	Nil	Nil	Nil	40
38	<u>Parliamentary Affairs</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
39	<u>Revenue & Disaster Management</u>						
	Sectt.Deptt.	Nil	68	Nil	Nil	Nil	68
	Meghalaya Board of Revenue	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.Land Records & Survey						
40	<u>SAD</u>						
	SAD (A)	748	Nil	Nil	Nil	Nil	748
	SAD (E)	176	Nil	Nil	Nil	Nil	176
	SAD (N)	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (R)	Nil	Nil	Nil	Nil	Nil	Nil
41	<u>Sports & Youth Affairs</u>						
	Sectt.Deptt.						
	Dte.of S.Y.A.	Nil	50	Nil	Nil	Nil	50
42	<u>Social Welfare</u>						
	Sectt.Deptt.						
	Dte.of Social Welfare	Nil	90	32	Nil	Nil	122
	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission for Women						
	Commissioner for Person with Disabilities	Nil	Nil	Nil	Nil	Nil	Nil
43	<u>Soil & Water Conservation</u>						
	Sectt.Deptt.	Nil	10	Nil	92	Nil	102
	Dte.of Soil & Water	200	Nil	2934	Nil	Nil	3134

44	<u>Sericulture & Weaving</u>						
	Sectt.Deptt.						
	Dte.of Sericulture	Nil	Nil	40	Nil	Nil	40
45	<u>Transport</u>						
	Sectt.Deptt.	Nil	Nil	Nil	60	Nil	60
	Comnr.of Transport	Nil	Nil	Nil	235	130	365
	M.T.C.	Nil	Nil	Nil	Nil	Nil	Nil
	D.T.O.	30	Nil	Nil	100	Nil	130
46	<u>Tourism</u>						
	Sectt.Deptt.	Nil	34	Nil	Nil	Nil	34
	Dte.of Tourism	Nil	50	Nil	Nil	Nil	50
	MTDC	833	50	Nil	Nil	Nil	883
47	<u>Urban Affairs</u>						
	Sectt.Deptt.	Nil	10	Nil	Nil	Nil	10
	Dte.of Urban Affairs	Nil	110	108	Nil	Nil	218
	Shillong Municipal Board	Nil	50	5374	Nil	Nil	5424
	Jowai Municipal Board	10	Nil	Nil	Nil	Nil	10
	MUDA	Nil	30	28	Nil	Nil	58
	Tura Municipal Board	Nil	30	Nil	Nil	Nil	30
	Williamnagar Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil
	Resubelpara Municipal Board	302	20	Nil	Nil	Nil	322
	48	<u>Metrology Department</u>					
Sectt.Deptt.							
Controller of Legal Metrology		Nil	10	2	Nil	Nil	12
49	<u>Meghalaya Legislative Assembly</u>	160	Nil	Nil	Nil	Nil	160

50	<u>Shillong Bench</u>						
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	<u>Gauhati High Court Total</u>						
51	<u>Governor's Secretariat, Raj Bhavan, Shillong</u>	Nil	1280	Nil	Nil	Nil	1280
52	<u>Meghalaya State Information Commission</u>						

7.6

As mentioned in the proceeding pages, of this chapter the data presented in Tables 7.2.1, 7.3.1 and 7.4.1 may not correctly reflect the full picture of the R.T.I. activities that had taken place during the year in the state as some public authorities had failed to comply with the legal requirement to furnish the relevant information for the Annual Report. Table 7.6.1 below indicates the names of such Public authorities/Department.

Table 7.6.1

Names of the Departments and Public authorities who failed to furnish requisite information for the Annual Report 2011.

Sl.No.	Name of the Department	Name of the Public authority
1	Agriculture	C.E.Irrigation
2	Cooperation	Meghalaya State Warehousing Corporation
3	District Council Affairs	KHADC
		JHADC
		GHADC
4	Education	MBOSE
5	E.R.T.S.	Com.Excise
		Inspector General of Registration
		Superintendent of Stamps
		Meghalaya Commission of Resource Mobilization
6	Finance	Dte. Of Accounts & Treasuries
		Dte. Of Institutional Finance
7	G.A.D.	Office Estate Officer
		Zila Sainik Welfare
8	Housing	Dte. Of Housing
		Meghalaya State Housing Board
9	Information & Public Relations	Sectt. Deptt.

		Dte. Of I.P.R.
10	Labour	Labour Commissioner
11	Revenue & Disaster Management	Dte. Land Records & Survey
12	Social Welfare	State Commission for Women

Chapter – 8

Key initiatives undertaken by the Government Departments and Public authorities in implementing the R.T.I. Act, 2005 and Recommendations

Given below are the initiatives undertaken by different Government Departments in implementing the R.T.I. Act 2005:

Significant Initiatives by Government/Public Authorities to Implement the RTI Act: Record Management, Computerization & Networking, Sou muto disclosures etc.

Reporting Year: 2011

Sl. No	Departments / Public Authorities	Key Initiatives undertaken during the Year
1	2	3
1	<u>Agriculture</u>	
	Dte.of Hort	Care has been taken for proper Record management and for smooth and transparent disclosure of information.
2	<u>Border Areas Dev.</u>	
	Seckt.Deptt.	Necessary steps has been taken to supply the information to the public in time as per provision of the Act. This Department has not delayed the supply of information to the Applicant, and for that reason no appeal has been referred either to the DAA as the State Information Commission during the year.
	Dte.of BAD	1. Necessary steps has been taken to supply the information to the public in time as per provision of the Act.

		2. Schemes/Projects sanctioned have been duly displayed for public information through media networks and Notice Boards in offices.
3	<u>Cooperation</u>	
	Meghalaya Apex Handloom Weavers & Handicrafts	We have maintained records of all activities performed during the year 2011-2012
4	<u>Education</u>	
	DERT	No request information received by the Directorate
5	<u>Elections</u>	
	Sectt.Deptt.	Department's Manual or Compendium on RTI Act, 2005 as required under Sec 4 (1) of RTI Act, 2005 hosted in Department's official website outlining the particulars, organization, function and duties of Election Department and office of the Chief Electoral Officer. Initiated – Strengthening of Implementation of RTI Act – As per Government of India Ministry of Personnel, Public Grievances and Pensions Department of Personnel & Training O.M.No.4/10/2011-IR dated 1.6.2011.
	DCs	1) As per the Scheduled of Summary Revision received from Election Commission of India Forms, 6,7,8,8A filed are being maintained, manuscripts pertaining to Revision programme from time to time.
		2) Maintenance of Register pertaining to issue of Lost EPIC.
		3) Stock Register of EVMs maintained.
		4) Hard and Soft copy of Electoral Roll (Photo & Normal) are being maintained in respect to Revision Programme as announced by Election Commission of India.
5) Till date no voters apply for RTI or otherwise.		
6	<u>Finance</u>	
	Dte.of Local Accounts	Does not arise, since no request/application was received from any person during the year 2011 for information under the R.T.I. Act, 2005.
7	<u>Food & Civil Supplies</u>	
	Dte.of Food & Civil Supplies	All applications filed under R.T.I. Act 2005 has already been disposed off in time except 1 (one) case remained under Deputy Commissioner(s) Shillong.
8	<u>Forest & Env.</u>	
	O/o CCF (Social Forestry)	Office records and maintenance register are properly kept and maintained for quick reference prompt disposal of RTI application
9	<u>Home (Police)</u>	
	Sectt.Deptt.	Action is being taken to disposed off the application in time. Strict

		instruction has been issued to all concerned branches/units to furnish required information well before the date fix. PIO's/APIO's and officer of the district were sensitized on the RTI Act & rules with emphasis on speedy transmission of required information to the applicant.
10	<u>Health & F.W.</u>	
	DHS (MI)	Record management done manually so as to meet the queries accordingly. Networking relating to RTI has not yet been done so far.
11	<u>Planning</u>	
	Sectt.Deptt.	All information are updated and maintained
	Dte.of Economics & Statistics	All statistics data are updated through its various publications released every year, computers are also supplied to all District offices for smooth & quick updating of official records.
12	<u>Personnel</u>	
	Personnel & A.R.(A) & (B) & SRC	The Department had issued instructions to all the Administrative Departments regarding payment of fees under R.T.I. Act, 2005 vide No-PER/27/2008/332 dated 9.8.2011.
	DC,EK Hills	Reply on the application filed by Mrs. J. Tariang on permission for transfer of plot No.19 situated at Bhagyakul Laitumkhrah, Shillong on the application dated 18-1-2011 in File No.L.14/3(5)2008
	DC, Jaintia Hills	Manual preparation by the Department Portal on R.T.I. website
	DC, West Khasi Hills	All application filed under RTI Act, 2005 have already been disposed off in time. All records (list of beneficiaries) are being kept at DC, W.K.H. website (West Khasi Hills.Gov.in). No applications/documents has been received to this Branch. Documents has been supplied to the applicants by Xeroxing.
	DC, West Garo Hills, Tura	Display of list of PIO/APIOs on District website and Annual Report.
13	<u>P.H.E.</u>	
	Chief Engineer	Already computerized. The net working process is in progress
14	<u>Power</u>	
	Sectt.Deptt.	Through File
	M.E.C. Ltd.	Data is Maintained in Electronics format
15	<u>Printing & Stationery</u>	
	Dte.of Printing & Stationery	(1) All advertisements etc. concerning the Directorate are published in the weekly Gazette and posted in the Dept. website for Public Awareness. (2) Computerization of Ministerial Branch being carried out in a phase manner. (3) Installation of SWAN.
16	<u>P.W.D.</u>	
	C.E.PWD(R&B)	Maintenance of RTI Register for quick disposal of information, Copies

		of short notice inviting tenders for execution of works are sent to DIPR for publication in the Newspaper for wide publicity and also to NIC. Record management.
	C.E.PWD (B)	Initiatives to be prepared by P.W.D. (Roads & Buildings) being the public authority
17	<u>Social Welfare</u>	
	State Social Welfare Board	No initiatives taken as there is no case received.
18	<u>Sericulture & Weaving</u>	
	Dte.of Sericulture	The different programme taken up by the Department were floated through NIC & local newspaper & recorded through the website of NIC. All information in connection with the application requested received already fulfilled and satisfied by the applicants.
19	<u>Tourism</u>	
	MTDC	Action in hand.
20	<u>Urban Affairs</u>	
	Jowai Municipal Board	Records managed through Register, files etc.
	Tura Municipal Board	Nothing in particular worth mentioning

Chapter – 9

Observations & Recommendations

Sou Motu information through the Websites:

According to Section 4 of the RTI Act, 2005 every Public Authority will ensure that requirement of Section 4(1)(b) and Section 5 (1) & (2) are implemented vigorously. Although most of the Public Authorities have prepared their manuals and information as required under section 4(1)(b) about their Organisation, functions, duties, powers and regulations etc in 17 sub-heads and also designated APIOs, PIOs under the office, yet it is found many of the Public Authorities have not updated their information from time to time. It is therefore essential that all Govt. departments/Public Authorities should place the updated manuals under section 4(1)(b) of the R.T.I. Act on their Websites. Departments who have not created their Websites may place the information with the Govt. Website immediately. As provided under section 26 of the RTI Act, It is therefore, recommended that that the Govt. may ensure that all the Public Authorities under it take necessary action in updating the information from time to time.

Delegation of Powers to the State Information Commissions:

According to section 15(4) of the Act, the General Superintendence, Direction and Management of the Affairs of the State Information Commission shall vested in the State Chief Information Commissioner and may exercise all such affairs and do such powers and things which may be exercised or done by the State Information Commission **autonomously without being subjected to direction of any Authority in this Act.**

Keeping this in view, the Govt. may consider delegation of administrative and financial powers to the State Chief Information Commissioner for smooth functioning of the Commission and to meet the expenditure within the budget allotted to the Commission.

Performance of the officers:

In view of the high profile of the legislation and its cruciality in achieving transparency, accountability, good governance and eliminating corruption, it is absolutely important that while apprising the performance of the officers a specific column is incorporated in the ACRs which should specifically refer to the officer's attitude towards the implementation of the RTI Act. This will go a long way in conveying a message to the functionaries manning the Public Authorities that the Govt. is very serious about its implementation of the RTI Act.

It is also reiterated that the following recommendations which were made in earlier years may be looked into by the Govt.:-

1. Amendment on Sub-Section (1)&(2) of Section 20 of the RTI Act, by inserting a penalty clause for failure to carry out any decision of the Commission. (2006).
2. The Govt. in the Administrative Reforms Department to engage a competent consultant to study the existing system of Record Management and Record Computerization and to advise necessary reforms in the system. (2006).
3. The Govt. to make obligatory for the agencies implementing MLA Schemes and MPLADS to publish the list of all such schemes (physical & financial) implemented during the year, constituency-wise. (2006).
4. Under section 25(2) of the R.T.I. Act, each Govt. department is required to collect information from all public authorities under it and to furnish the information in time to this State Information Commission as required by it, to prepare the Annual Report. It has been observed that many Govt. Departments are in the habit of neglecting this very provision of the Law. This has prompted this Commission to publish a list of such defaulting departments etc as may be seen at statement 7.6.1 of this report. State Govt. is required to take a serious view of such failure or negligence on the part of the various incumbent-heads of administrative departments and reflecting such under performance of their legal responsibilities, in the Annual Confidential Records of such officers. (2009).

Some important provisions on the Right to Information Act, 2005.

1. The Right to Information Act, 2005, is a very powerful instrument, which empowers the citizens to seek information from the Government as a matter of right.
2. Any person desiring to seek information may file an application addresses to the Public Information Officer of the concerned public authority together with the prescribed application fee of `10.00 in cash or demand draft or an Indian Postal Order and submit it to the PIO or the Assistant PIO. Reasons for seeking information need not be given.. (Section 6).
3. The PIO is required to provide the information to the applicant within thirty days from the date of receipt of the application. If he fails, it shall be deemed to have refused and he is liable for penalty. Any information concerns life and liberty of a person, the information should be provided within forty eight hours. (Section 7).

4. The applicant may also be required to pay a fees toward the cost of providing the information as prescribed by the Right to Information (Regulation of Fee and Cost) Rules, 2005.
5. Any applicant who does not receive the information within the time prescribed by the Act, or who is aggrieved by the decision of the Public Information Officer, may within thirty days prefer an appeal to the Departmental Appellate Authority (DAA) (Section 19). Any person who does not receive a decision or who is aggrieved by the decision fo the Departmental Appellate Authority (DAA) within thirty days may prefer within ninety days a second appeal to the State Information Commission (Section 19(3)).
6. A complaint can also be filed to the State Information Commission, if a person is unable to submit the application due to the fact that no Public Information Officer has been appointed by the Public authority or who has been refused to provide the information or who has not been given the response to a request for information within the time limit or who has been given incomplete or false information or in respect of any matter relating to requesting or obtaining access to records under this Act. (Section 18).
7. Any PIO who without reasonable cause refused to receive, provided or malafidely denied or knowingly give incorrect, incomplete or misleading or destroyed information is liable for a Penalty of `250/- per day subject to a maximum of `25,000/-. In addition the Commission may also recommend a Disciplinary action against him. (Section 20).