

7TH

ANNUAL REPORT

2012

MEGHALAYA STATE INFORMATION COMMISSION,

Shillong, Meghalaya

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**Meghalaya State Information Commission
Annual Report - 2012**

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Chapter – 1

Introduction

- 1.1** The Right to Information Act, 2005, has now entered its seventh year of its operation. As far as implementation of the Act in Meghalaya is concerned, the Commission has not received any serious complaint that involved threat and intimidation against the R.T.I. activists or against the Information seekers. However, complaints regarding delay or refusal to provide the information are the normal grievances received, and these were dealt with in accordance with the provisions of the Act and disposed of after hearing of the aggrieved parties.
- 1.2** In our State, the Act has gradually becoming popular day by day particularly amongst the educated members of the Civil Society and various NGOs. Most of the Appeals and Complaints that were filed and preferred to the Commission, have come from the members of these Organizations. Their active participation and conscious efforts to get access to information have helped in ensuring transparency and accountability in the functioning of the public authorities.
- 1.3** The main objective of the Right to Information Act is to provide for accountability and transparency by setting out a practical regime of the Right to Information for citizens to secure access to information under the control of the public authorities. It is with this aim in view that the Act has become practically the citizens law that empowers them to secure access to information. Its success, therefore, has depended to a large extent on the response and pro-active involvement of the people to come forward and seek information on matters that concerned their welfare and interest.
- 1.4** One positive effect of the R.T.I. Act is that it has slowly bridged the gap, which has hitherto existed, between the citizens and the Government functionaries. The people are now more informed of the activities undertaken by the Government and this has to some extent clear the doubt, the misgivings and the suspicion, which the people have against the Government.
- 1.5** Section-25(1) of the Right to Information Act, 2005 requires the State Information Commission to prepare the Annual Report on the implementation of the provisions of the Act, during that year as soon as practicable after the end of each year and forward a copy of the report thereof to the Government under Section-25(2). The State Government, as soon as practicable at the end of each year, causes a copy of the

Annual Report of the State Information Commission, in accordance with Section-25(4), to be laid before the State Legislature.

- 1.6** The Report highlights the number of requests made and disposed by the PIOs, the number of appeals and Complaints preferred and filed with the Commission. Some important decisions of the Commission were also reflected in the report in order to serve as reference and guidance for the PIOs and the public authorities. The PIOs who have been penalized are shown in the report.
- 1.7** The present Report is the seventh Annual Report prepared by the Meghalaya Information Commission, in pursuance of the provisions of the Act. While preparing the Report, efforts are being made to focus on those items required under various sections of the Act.
- 1.8** The Meghalaya State Information Commission is pleased to present to the State Government of Meghalaya, its Seventh Report for the period from 1st January 2012 to 31st December 2012.

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.

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	Jr. P.S. to C.I.C.	1	-
6	Superintendent	1	1
7	U.D.A	1	1

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 Agency 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 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 S.C.I.C.	Secretarial assistance and any other works assigned by the State Chief Information Commissioner.
5	Jr. P.S. to S.C.I.C.	-do-
6	Superintendent	General superintendence and discipline of office work, to provide assistance to the Secretary.
7	UDA/LDA	To provide secretarial assistance to the Superintendent
8	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 Meghalaya State Information Commission, Phone – 2500179 (Office) Address: Lower Lachumiere Shillong – 793001, Meghalaya	Smti G.S. Sangma, Under Secretary, Meghalaya State Information Commission, Phone – 2500179 (Office) 222025 (Res) Address: Lower Lachumiere Shillong – 793001, Meghalaya

2.7 Budget & Accounts of the Commission:

The Budget for the State Information Commission is published in the Budget book 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 2012-13 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 2012-2013	Expenditure upto 31-3-2012
01	Salaries	51,00,000/-	46,69,817/-
02	Wages	2,54,000/-	3,56,240/-
06	Medical Treatment	5,02,000/-	1,92,416/-
11	Domestic Travel Expenses	3,54,000/-	3,25,382/-
13	Office Expenses	5,49,000/-	3,50,218/-
16	Publications	4,50,000/-	31,110/-
21	Supplies & Materials	3,00,000/-	1,11,636/-
28	Professional Services	4,00,000/-	1,02,240/-
50	Other Charges	54,000/-	Nil
51	Motor Vehicles	1,60,000/-	1,14,198/-
52	Machinery & Equipment	64,000/-	Nil
Total		81,87,000/-	62,53,257/-

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 filed and Appeals preferred to it. During the year 2012, the Commission had received 51 number of Complaints and Appeals. Of these, 43 cases were disposed of by the Commission during the year and the remaining 8 cases were carried over to the next year. The details of receipt and disposal of Complaints and Appeals by the Commission is given in Chapter-3 and Chapter-4 of this Report.
- (ii) Preparation and Publication of the Seventh Annual Report.
- (iii) During the year the Commission had also taken part in various programmes organized by the State and Central Commissions as follows:-

Date	Place	Nature of the Programme
21.02.2012	Tura	Hearing of Appeals & Complaints
22.02.2012	Tura	Hearing of Appeals & Complaints
01.03.2012 to 05.03.2012	Patna	Attended Conference organized by Bihar State Information Commission and Central Information Commission
18.04.2012	Shillong (MATI)	Training on R.T.I. for the State Government Officers
27.04.2012	Shillong (MATI)	Training on R.T.I. for PIOs of State Government
15.05.2012	Shillong (MATI)	Training on R.T.I. for the MCS officers
29.05.2012	Barapani (NEPA)	Training on R.T.I. for the Police officers
13.07.2012 to 16.07.2012	Bangalore	Attended meeting of the Board of Governors of the NFICI
18.07.2012	Hyderabad	Visited NFICI and State Information Commission
20.07.2012	New Delhi	Meeting with Central Information Commission officials
27.11.2012	Shillong (MATI)	Training on R.T.I. for PIOs of the State Government

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 2012, a total number of 43 Complaints were received in the Commission. Out of these, 39 cases were disposed of during the year and the remaining 4 cases were carried over to the next year. The break up of the Complaints received and disposed of Department-wise, is given in the Table 3.1.1. below:

Table 3.1.1**Department-wise receipt and disposal of Complaints by the Commission during 2012:**

Sl.No	Name of the Department	No. of Complaints pending with the Information Commission at the end of last year	No. of Complaints filed during the year	Total No. of Complaints with the Information Commission	No. of Complaints disposed and acted upon	No. of Complaints disposed and rejected
1	Education	-	6	6	6	
2	Forest	-	3	3	3	
3	D.C. East Khasi Hills District	-	4	4	3	
4	C&RD	-	6	6	4	
5	Mining & Geology	-	4	4	4	
6	D.C. East Garo Hills District	-	1	1	1	
7	D.C. Ribhoi District	-	1	1	1	
8	Home (Police)	-	4	4	4	
9	District Council Affairs	-	7	7	7	
10	Health	-	2	2	2	
11	Urban Affairs	-	2	2	1	
12	PHE	-	1	1	1	
13	Co-operation	-	1	1	1	
14	PWD	-	1	1	1	
	Total	-	43	43	39	

*4 Cases were carried over to next year.

Details of the Complaints disposed by the Commission are shown in the Table 3.1.2 below:

3.1.2. Details of the Complaints disposed with the Commission during 2012

1	MIC/Complaint/2/2012/5 Dated 17-1-2012 (Recd.21-12-2011)	Rev. A.T.Sohliya, Pynthorumkhrah, Shillong	PIO, Martin Luther Christian University, Shillong
2	MIC/Complaint/32/2012/46 Dated 13-2-2012 (Recd.6-1-2012)	Shri Ranjit Singh Gill, Uttarakhad, Dehradun	PIO (Hqrs), O/o PCCF, Meghalaya
3	MIC/Complaint/10/2012/ Dated 23-2-12 (Recd.14-2-2012)	Shri Roy Dolphus, Cathedral House, Wazirpura Road, Agra (UP)-282003	PIO, Martin Luther Christian University, Shillong
4	MIC/Complaint/11/2012/8 Dated 24-2-2012 (Recd.22-2-2012)	Shri Richardstone Jana Nongbet, Nongshiliang, Nongthymmai	PIO&ADC (Revenue), East Khasi Hills District, Shillong
5	MIC/Complaint/4/2012/5 Dated 24-2-2012 (Recd.17-1-2012)	Shri Tyllilang Tham, Nongla, Mawsiangei, East Khasi Hills	PIO&BDO, Shella-Bholaganj, C&RD Block, East Khasi Hills
6	MIC/Complaint/13/2012/59 Dated 26-3-2012 (Recd.14-2-2010)	Shri S.K.Sharma, 30 Chandan Nagar, Beltola, Guwahati – 28	Shri C.K.Marak, PIO, Mining&Geology, Govt. of Meghalaya
7	MIC/Complaint/14/2012/38 Dated 26-3-2012 (Recd.14-2-2012)	Shri S.K.Sharma, 30 Chandan Nagar, Beltola, Guwahati – 28	Shri P.C.Paul, PIO, Mineral Meghalaya Mining Development Corporation, Ltd. Shillong
8	MIC/Complaint/8/2012/21 Dated 26-3-2012 (Recd.8-2-2012)	Shri Danstarly Jyrwa, Panchiring 'A', Maharam Syiemship, West Khasi Hills, Ph – 9615131839	PIO&Block Development Officer, Ranikor C&RD Block, West Khasi Hills.
9	MIC/Complaint/9/2012/27 Dated 26-3-2012 (Recd.8-2-2012)	Rev. BRL Mawlong, Mission Compound, Pariong Village, 793120, Ph - 9856024344	PIO, Directorate of School Education & Literacy, Shillong
10	MIC/Complaint/1/2012/47 Dated 29-3-2012 (Recd.14-3-2012)	Shri Prinson N.Marak General Secretary, All India Garo Union, Williamnagar	Shri S.K.Momin, PIO&Secretary, District Selection Committee, East Garo Hills, Williamnagar
11	MIC/Complaint/7/2012/25 Dated 19-4-2012 (Recd.2-2-2012)	Shri Richardstone Jana Nongbet, Nongshiliang, Nongthymmai, Shillong	PIO, Khasi Hills Autonomous District Council, Shillong
12	MIC/Complaint/12/2012/42 Dated 24-4-2012 (Recd.22-2-2012)	Shri Richardstone Jana Nongbet, Nongshiliang, Nongthymmai, Shillong	PIO, Khasi Hills Autonomous District Council, Shillong
13	MIC/Complaint/6/2012/58 Dated 30-4-2012 (Recd.24-1-2012)	Shri S.K.Sharma, 30 Chandan Nagar, Beltola, Guwahati – 28	PIO viz., C.F. Hqrs.&PIO viz., C.F., (M&E), O/o PCCF, Meghalaya

14	MIC/Complaint/5/2012/109 Dated 30-4-2012 (Recd.24-1-2012)	Shri S.K.Sharma, 30 Chandan Nagar, Beltola, Guwahati – 28	PIO viz., C.F. Hqrs.&PIO viz., C.F., (M&E), O/o PCCF, Meghalaya
15	MIC/Complaint/15/2012/6 Dated 3-5-2012 (Recd.2-4-2012)	Shri S.G.Lyngdoh, Mawlai Nongrum (Traisiej), Shillong	PIO, EAC (Rev), Ri- Bhoi District, Nongpoh
16	MIC/Complaint/16/2012/19 Dated 3-5-2012 (Recd.10-4-2012)	Shri S.K.Sharma, 30 Chandan Nagar, Beltola, Guwahati – 28	Shri C.K.Marak, PIO, Mining&Geology, Govt. of Meghalaya
17	MIC/Complaint/22/2012/26 Dated 14-5-2012 (Recd.7-5-2012)	Smti Angela Rangad, Laban, Shillong	PIO, o/o S.P., EKH, Shillong and PIO, Chief Judicial Magistrate, Shillong
18	MIC/Complaint/20/2012/ Dated 16-5-2012 (Recd.23-4-2012)	Shri R.Jana Nongbet, Nongshiliang, Nongthymmai, Shillong - 14	PIO, office of the Syiem of Hima Myllem, Mawkhar, Shillong – 1
19	MIC/Complaint/19/2012/ Dated 16-5-2012 (Recd.25-4-2012)	Shri Jesper Jyrwa, Panchiring 'A' Maharam Syiemship, West Khasi Hills	PIO viz., Executive Engineer, P.W.D., Ranikor Division, West Khasi Hills
20	MIC/Complaint/25/2012/4 Dated 21-5-2012 (Recd.11-5-2012)	Smti Jennifer V.Kharchandi, Jaiaw Lumsyntiew, Shillong	PIO, Central Selection Board, Meghalaya Police, Shillong
21	MIC/Complaint/26/2012/7 Dated 4-6-2012 (Recd.11-5-2012)	Rev. Z.M.Sawkmie, Arbuthnot Rpad, Laitumkhrah, Shillong – 3	PIO, Martin Luther Christian University, Shillong
22	MIC/Complaint/27/2012/15 Dated 14-6-2012 (Recd.29-5-2012)	Smti Crydillash G.Momin, Kench's Trace, Shillong	FAA & District School Education Officer, East Khasi Hills and PI and Headmaster, G.U.M.S.S., Shillong
23	MIC/Complaint/21/2012/10 Dated 25-6-2012 (Recd.3-5-2012)	Shri Eric K.Jana, Chapel Road, Jaiaw, Shillong	PIO,DHS, (MCH & FW), Govt. of Meghalaya
24	MIC/Complaint/24/2012/13 Dated 25-6-2012 (Recd.8-5-2011)	Smti Nikme D.Sangma, P.O. Chandaboi, West Garo Hills	PIO, Garo Hills Autonomous District Council, Tura
25	MIC/Complaint/23/2012/7 Dated 26-6-2012 (Recd.3-5-2012)	Shri Donlidor Majaw, Mawlai Nongmali, Block – III, Shillong	PIO, Shillong Municipal Board Shillong
26	MIC/Complaint/34/2012/9 Dated 12-7-2012 (Recd.9-7-2012)	Smti Agnes Kharshiing, Laitumkhrah, Shillong	PIO, viz., ADC (Rev), o/o D.C., East Khasi Hills, Shillong
27	MIC/Complaint/32/2012/15 Dated 30-7-2012 (Recd.26-7-2012)	Shri Biangbor Lyngdoh, Mawlai, Shillong	PIO viz., DH&MO, East Khasi Hills District, Shillong
28	MIC/Complaint/33/2011/14	Shri Biangbor Lyngdoh,	PIO viz., Executive Engineer,

	Dated 30-7-2012 (Recd.26-6-2012)	Mawlai, Shillong	PHE (Electrical) Division, Shillong
29	MIC/Complaint/37/2012/8 Dated 21-8-2012 (Recd.3-8-2012)	Shri Markos Marwein, Mawlai Mawdatbaki, Shillong	PIO viz., Myllem C&RD Block, 5 th Mile, Upper Shillong
30	MIC/Complaint/29/2012/27 Dated 13-9-2012 (Recd.19-6-2012)	Shri S.K.Sharma, 30 Chandan Nagar, Beltola, Guwahati – 28	Shri C.K.Marak, PIO, Mining&Geology, Govt. of Meghalaya
31	MIC/Complaint/35/2012/17 Dated 14-9-2012 (Recd.23-7-2012)	Smti Agnes Kharshiing, Laitumkhrah, Shillong	PIO, viz., ADC (Rev), o/o D.C., East Khasi Hills, Shillong
32	MIC/Complaint/39/2012/9 Dated 14-9-2012 (Recd.21-8-2012)	Shri E.M.Jose, Senior Correspondent, The Telegraph, Shillong	PIO&AIGP(A) and FAA & IGP(Hqrs), Meghalaya Police, Shillong
33	MIC/Complaint/24/2012/18 Dated 8-10-2012 (Recd.17-9-2012)	Smti Nikme D. Sangma, P.O. Chandaboi, West Garo Hills	PIO, Garo Hills Autonomous District Council, Tura.
34	MIC/Complaint/45/2012/12 Dated 5-11-2012 (Recd.25-9-2012)	Shri Paialast Iawrod, Mawsawa, Mawsynram, East Khasi Hills	PIO, Syiem ka Hima Malai Sohmat, Syiemship, East Khasi Hills, Meghalaya
35	MIC/Complaint/31/2012/11 Dated 5-11-2012 (Recd.22-6-2012)	Shri Moza Haque Sarkar, Moulakandi, West Garo Hills	Dr.D.Roy, Block Development Officer, Selsella C&RD Block, West Garo Hills
36	MIC/Complaint/43/2012/26 Dated 4-12-2012 (Recd.10-9-2012)	Shri Phinial L.Miangiong, Mawngap Kynjang, Nongstoin	PIO, o/o Assistant Registrar Cooperative Societies, West Khasi Hills, Nongstoin
37	MIC/Complaint/41/2012/14 Dated 19-12-2012 (Recd.7-9-2012)	Shri Balawan Pala, Nongkhyriem, Nongthymmai, Shillong	PIO viz., DSP (Hqrs), East Khasi Hills Shillong
38	MIC/Complaint/30/2011/40 Dated 28-2-2012 (Recd.14-2-2012)	Rev Z.M. Sawkmie, Arbutnot Road, Laitumkhrah, Shillong - 793003	PIO, Martin Luther Christian University, Shillong
39	MIC/RP/Appeal/7/2012/3 Dated 12-9-2012 (Recd.1-8-2012)	Shri Richardstone Jana Nongbet, Nongshiliang, Nongthymmai	MIC/Complaint/12/2012/44-A Dated 16-5-2012

Table 3.1.3 below indicates year-wise disposal of Complaints by the Commission during the last seven 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	-
2012	43	39	-

3.2 Reasons for filing of Complaints to the State Information Commission:

Most of the Complaints lodged with the Commission were due to violation of Sec-18 (1) (b) and 18 (1) (c) of the R.T.I. Act, that is refusal to give access to any information or who failed to response to a request for information within the time limit specified under the Act. In fact most of the Complaints filed were under these grounds.

Table 3.2.1 below gives a picture of Complaints filed under different sub-sections of section-18 of the Right to Information Act, 2005.

Table 3.2.1

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

Sections & Sub-Sections	No. of Complaints carried over from last year	No. of Complaints filed during the year	Total No. of Complaints with the Commission	No. of Complaints disposed	No. of Complaints rejected
18 (1) (a)	-	1	1	1	-
18 (1) (b)	-	9	9	9	-
18 (1) (c)	-	29	29	29	-
18 (1) (d)	-	-	-	-	-
18 (1) (e)	-	-	-	-	-
18 (1) (f)	-	-	-	-	-
Total:	-	43	43	39	-

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 4 second appeals were received by the Commission and 4 appeals carried over from the previous year. Of these, 4 appeals were disposed of and the remaining 4 were carried over to the next year.

Department-wise receipt and disposal of second appeals by the State Information Commission is given in Table 4.1.1 below:

Table 4.1.1**Department-wise receipt and disposal of second appeals by the Commission:**

Sl. No.	Name of 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	Total No. of appeals disposed	No. of appeals rejected
1	2	3	4	5	6	7
1	Health	-	1	1	1	-
2	Education	3	1	4	1	-
3	D.C. E.K. Hills District	-	1	1	1	-
4	Urban Affairs	-	1	1	1	-
5	KHADC	1	-	1	-	-
Total:		4	4	8	4	-

* 4 appeals were carried over to next year.

4.2.1 Details and Particulars of the Second Appeals preferred to the Commission:**Second Appeals disposed of during 2012**

Sl. No.	Case No.	Name of Appellant	Name of the PIO/Public Authority
1	MIC/Appeal/2/2012/23 Dated 27.3.2012 (Recd.14.2.2012)	Shiv Shankar Tiwari, Satya Heevan Kush Ashram, Lajpat Nagar, New-Delhi	PIO, Health & Family Welfare Department
2	MIC/Appeal/15/2012/67 Dated 18.4.2012 (Recd.5.3.2012)	Shri Iman Abu Alam Abdulla, West Garo Hills	PIO, Headmaster, Hallidayganj Secondary School
3	MIC/Appeal/6/2012/4 Dated:19.4.2012 (Recd.11.4.2012)	Shri Avner Pariat, Mawlai, Ujaiur, Shillong	PIO, Deputy Commissioner, East Khasi Hills District, Shillong
4	MIC/Appeal/9/2012/39 Dated 9.10.2012 (Recd.16.8.2012)	Shri Anisul H.Laskar, Laitumkhrah, Shillong	Urban Affairs Department

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

Table 4.2.2

Year	Total No. of Appeals	No. of Appeals Disposed	No. of Appeals Rejected
2006	6	6	-
2007	18	18	-
2008	23	20	-
2009	37	34	-
2010	17	14	1
2011	13	8	5
2012	8	4	-

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. After giving them an opportunity of hearing and after detailed examination and consideration of all the papers and documents available and produced before the Commission on record and only when the Commission is convinced and 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 imposed during 2012 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/26/2012/7 Dated: 4.6.2012 Recd. May, 2012	Rev. Z.M. Sawkmie, Arbuthnot Road, Laithumkhrah, Shillong-3	PIO, Martin Luther Christian University	₹3,000/-
2.	MIC/Complaint/21/2012/10 Dated: 25.6.2012 Recd. May, 2012	Shri Eric K. Jana, Chapel Road, Jaiaw, Shillong	PIO, DHS (MCH&FW) Meghalaya	₹3,250/-
3.	MIC/Complaint/24/2012/13 Dated: 25.6.2012 Recd. May 11, 2012	Smti Nikme D. Sangma, P.O. Chandaboi, West Garo Hills	PIO, Garo Hills Autonomous District Council	₹8,500/-
4.	MIC/Complaint/31/2012/11 Dated: 5.11.2012 Recd. 22.6.2012	Shri Moza Haque Sarkar, Moulakandi West Garo Hills	PIO, C&RD Block, Selsella, West Garo Hills	₹25,000/-

5.2 Further, u/s 19 (8) (b) of the R.T.I. Act, the State Information Commission, is empowered to direct the Public Authority to pay compensation to the Complainant or the appellant, for any loss or other detriment suffered by them in course of the process to get access to information. The Act, also empowers the Commission, u/s 20 (2) to recommend for disciplinary action against the PIO who failed to receive an application for information or has not furnished the information within the time specified or 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.

During the year 2012, the Commission has not awarded any compensation to any Complainant or appellant and no departmental disciplinary action recommended against any PIO.

Chapter – 6

Highlights of some of important decisions of the Commission.

Orders passed by the Commission during 2012:

MEGHALAYA INFORMATION COMMISSION, SHILLONG

Case. No. MIC/Appeal/15/2012/20

Imam Md. Abu Alam Abdulla, West Garo Hills - Appellant

-Vrs-

PIO viz., Headmaster, Hallidayganj G/A Secondary School.
FAA viz., District School Education Officer, West Garo Hills } Respondents

ORDER

15-3-2012 Seen the Appeal petition filed by Imam Md. Abu Alam Abdulla, Science Teacher, Hallidayganj G/A Secondary School, West Garo Hills alleging that the PIO has not furnished him complete information as requested by him in his application dated 28-9-2011.

On perusal of the papers and documents submitted along with the Appeal petition, it appears that the Respondent-PIO and Headmaster, Hallidayganj G/A Secondary School has furnished part of the information to the applicant as available with him and also requested the Secretary of the Managing Committee of Hallidayganj G/A Secondary School to furnish the remaining documents which are available with him and normally should be available with the Managing Committee. On submission of the First Appeal by the appellant to the District School Education Officer, the First Appellate Authority issued an order that the information should be provided to the applicant immediately.

Apparently, it appears that the Secretary of the School maintains all the records of the affairs of the School and hence most of the information as sought for should have been available with him. This is also implied from his letter No. HSS//S/RTI/1/2010/4 dated 20-1-2012 stating that the case is sub-judice and as such it is risky to supply the information sought for during the pendency of the two High Court case without first seeking for proper legal

opinion from the legal expert. It also appear that he has admonished the Respondent-PIO & Headmaster Hallidayganj G/A Secondary School for furnishing the information available with him without consulting him and further he will have to bear the adverse consequences, if any, arising therewith. In this connection, attention is drawn under section 5(4)(5) of the RTI Act, 2005 which provides that the PIO may seek assistance of any other officer as he considers it necessary for proper discharge of his duties and such officer whose assistance has been sought shall render all assistance to the PIO and that officer shall be treated as “**deemed PIO**” within the provisions of the RTI Act, 2005. In this particular case, it appears that from the above that the records are maintained and expected to be available with the Secretary of the School. In view thereof, the Secretary of the Managing Committee of Hallidayganj G/A Secondary School shall be deemed as PIO since the information appears to be available with him and his assistance was sought for by the notified PIO for furnishing the information, which are with him. The Secretary is deemed PIO of the School and therefore may be asked to show cause as to why the Appeal should not be admitted and under which section of the RTI Act, 2005, has he taken the stand that since the matter is sub-judiced, the information could not be provided, which appears to be contradictory to the provisions of the RTI Act, 2005.

Fix **16-4-2012 at 11:30 AM** for show cause by the deemed PIO, Secretary of Hallidayganj G/A Secondary School.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

....

Case. No. MIC/Appeal/15/2012/67

Imam Md. Abu Alam Abdulla, West Garo Hills - Appellant

-Vrs-

PIO viz., Headmaster, Hallidayganj G/A Secondary School.
Departmental Appellate Authority
DAA viz., District School Education Officer, West Garo Hills

} Respondents

ORDER

18-4-2012 Case records put up today.

Although the case was fixed for show cause by the Deemed PIO and Secretary, Hallidayganj G/A Secondary School, West Garo Hills on 16-4-2012; but being a public holiday the case was adjourned till the next date and the Deemed PIO was verbally informed accordingly. The Deemed PIO appeared before the Commission on the 17th & 18th April, 2012 along with a written submission.

The case in brief is that Shri Imam Md Abu Alam Abdullah Science Teacher Hallidayganj G/A Secondary School, West Garo Hills has applied for information under section 6 of the RTI Act, 2005 on 28-9-2011 along with the requisite fee on the following:

1. M.C. Resolution dated 15-3-1995 along with approval letter thereof.
2. M.C. constituted for the period from 1-3-1995 and approval letter in this regard.
3. Appointment letter, joining report and resignation letter of Shri Shamiur Reza
4. Payment made as salaries to Shamiur Reza during his period of service.
5. M.C. resolution dated 17-11-1995 and approval letter in this regard.
6. Appointment letter and joining report of Ishmatara Rahman.
7. Relevant portion of Acquittance Register copies of payment of science teacher for the period from 3-10-1994 till date.
8. Relevant portion of Ledger copies of Bank Balance of undisbursed salaries of science teacher for the period from 1-3-1997 to 28-2-1998, 1-12-1999 to

29-2-2000, and 1-3-2001 to 31-5-2009 which are kept in S/B A/C of the school.

On receipt of the application, on 24-10-2011, the designated PIO and Headmaster Hallidayganj G/A Secondary School, West Garo Hills, informed the Appellant to come and collect the information on item No.3 and item 6 after payment of requisite fee. Further, he informed that the remaining documents are not available with him and it is being taken up with the Secretary, Managing Committee Hallidayganj G/A Secondary School, West Garo Hills. Failing to obtain the remaining information, the Appellant has filed the First Appeal before the DAA and District School Education Officer, West Garo Hills, Tura on 28-11-2011.

In the meantime the Secretary of the School on 22nd November 2011 has also informed that the Appellant Shri Imam Md Abu Alom Abdullah being a science teacher has submitted a Writ Petition in the Guahati High Court Shillong Bench vide WP (C) No.137(SC)/2010 over arrears salary payment etc. against the Managing Committee. The other science teacher Smti Ishmatara Rahman has also filed Writ Petition in the Guahati High Court Shillong Bench vide WP (C) No.247(SC)/2009, where both the Writ Petitioners have made a cross claim over a single subject and the said two Writ Petition are still pending before the Guwahati High Court and hence the entire matter being sub-judice it might not be advisable to supply the information sought at once during the pendency of the said cases without first seeking for proper legal opinion from the legal expert and that legal advice is being sought.

The DAA, while disposing the appeal on 21/12/2011 has issued direction to the PIO that since all the records are available in the school itself, he should furnish the information to the concerned incumbent without further delay with intimation to him. Further, he was also directed to submit the following information to the DAA immediately:

1. Acquaintance registers for payment of Science teachers for the period 3-10-1994 till date.
2. Up to date Bank balance Statement of your school.

On receipt of the direction from the DAA, the designated PIO immediately took up the matter again with the Secretary, Hallidayganj G/A Secondary School, West Garo Hill on the 13-1-2012. In reply on 20-1-2012 the PIO was informed by the Secretary, Hallidayganj G/A Secondary School, West Garo Hills that he has already informed the PIO vide his letter No. HSS/S/RTI/1/2010/2 dated 22-11-2011 about the position that there are two pending Writ Petitions before the Guahati High Court and hence the entire matter being sub-judice it might not be advisable to supply the information sought at once during the pendency of the said cases without first seeking for proper legal opinion from the legal expert. He also admonished the PIO for furnishing part of the information and that he will have *to bear the brunt of all adverse consequences, if any arising thereupon* .

Immediately on receipt of this communication, the PIO and Headmaster Hallidayganj G/A Secondary School, West Garo Hills, on 21-1-2012 informed the DAA viz., the District School Education Officer, West Garo Hills, Tura accordingly. On receipt of this information, the DAA observed that the Aquitaine register for payment of science teacher of the school from the period of 3-10-1994 till date and upto date Bank Balance of the school do not appear to have any relationship with the High Court case and the information should be furnished to him urgently. The PIO also did make an attempt to collect the remaining information from the previous officers in-charge of the school during the period when they have acted as administrators of the school.

The Secretary of the Managing Committee of the School, as the custodian of the records from whom the designated PIO has sought assistance, has been considered as a Deemed PIO within the provisions of Section 5(4)(5) of the RTI Act, 2005, as mentioned in the earlier Order of the Commission dated 15-3-2012. Therefore, he was accordingly asked to submit his show cause as to why the appeal should not be admitted and under which section of the RTI Act, 2005 he has taken the stand that since the matter is sub-judiced, the information could not be provided which appears to be contradictory to the provisions of the RTI Act, 2005.

In his submission, he confirmed that it is a fact that there are two Writ Petitions by Shri Imam Md Abu Alam Abdubllah and the cross claim by

another teacher before the Guwahati High Court over a single indivisible grant sanctioned by the Government and has a bearing on the information applied and hence the need for obtaining the legal opinion since the information relates to a third party i.e. Shri Shamiur Raza and Smti Ishmatara Rahman and has sought for time for furnishing the information to the Appellant. According to him Ishmatara Rahman had filed a written objection vide letter 15/11/2011 against disclosure of the information. He further stated that the PIO did not take into account the fact of the pendency in the Guwahati Court involved the third party and therefore he was very apprehensive about adverse consequence to supply the same without obtaining legal opinion in the matter and prays that he may be exonerated for temporary holding back the information till the legal opinion is received. He quoted his letter dated 22-11-2011 to the Headmaster that nowhere he has said not to supply the information at all and only mentioned that it is not advisable to supply the information without first seeking the legal opinion. This is also the view of the learned counsel of the Managing Committee; he stated that the views of the legal opinion have been received in the meantime as mentioned below:

With reference to the above, I am to furnish here with the following legal opinion –

The information sought for as per the RTI Application dated 28th September, 2011, filed by Shri Imam Md Abu Alom Abdulla mostly relates to third parties, namely Shamiur Reza and Ishmatara Rahman whose names are appearing on the body of the RTI application itself and such the disclosure of the said information is barred under the provisions of the RTI Act, 2005.

In so far as the cross-High Court cases are concerned one of the said third parties namely, Ishmatara Rahman as named above also appears to be involved as the rival party therein, and she is considered necessarily to be a third party here also.

The information cannot be supplied to the applicant concerned unless the said third parties have registered express no objection to the said supply of the said information.

So far as those information already supplied is concerned the same are also barred by law but since already supplied the same may be allowed partial

access to with restrictions imposed to the effect that it cannot be used for private purpose except for larger public interest.

The provisions of Section 7(8) Section 8(1)(d) and Section 11 of the RTI Act, 2005 are applicable in the aforesaid aspects of the information required to be supplied by the applicant concerned.

This is for favour of your kind information and necessary action”.

The PIO was accordingly informed of the legal opinion that that information sought by the applicant is barred by the Law enforced except for one or two which are not available with the petitioner Deemed PIO & Secretary, and may be available with the previous administrators. He further mention that even the information on Appointment letter of Shri Shamiur Raza and appointment letter of Ishmatara Rahman already supplied to the appellant appeared to be barred by the Law. And therefore the appellant can be given only partial access with restriction on the use of the said information.

The issues emerged for consideration before the Commission are:

1. Whether the Hallidayganj G/A school is a Public Authority as defined under Section 2(h) of the RTI Act 2005?
2. Whether the information sought by the Appellant falls within the Category of Third party as claimed by the Deemed PIO and whether section 7(7),7(8) ,8(1) (d) and section 11 of the RTI Act 2005 is applicable and information and cannot be furnished?
3. Whether furnishing the information relates to a Public activity of the School?
4. Whether furnishing information will cause any harm to the interest of the Third Party in the case before the High court?

Discussions:

Hallidayganj H S G/A School has been functioning for some time and is a Government Aided School as seen from the notification constituting the Management committee issued from time to time and orders of the Inspector of School dated 13-10-2010 vide No SWG/MC/RTI-67/2010/8897-9030 constituting the MC w.e.f from 2-10-2010 to 1.10.2013, which shows that the school is financed and is controlled in its day today functioning by the Government. It cannot be considered as a private school totally devoid of government funding. Obviously, if the school accepts assistance from the Government, it has to abide by the rules and Regulation of the government as framed from time to time. That being the case, the Management Committee has to act in a transparent manner and the information asked should be available to any citizen of the country and cannot be

withheld. Section (2h) defines a “Public Authority “means any authority or body or institution of self Government established or constituted-.....(d) by notification issued or order made by appropriate Government and includes any-

- (i) **Body owned, controlled or substantially financed.**
- (ii) **(ii) non- Government organization substantially financed, directly or indirectly by funds provided by the appropriate Government .**

In this particular case there is no claim to the contrary by the School that it is not a Public Authority and in fact part of the information has already been furnished and the claim of withholding remaining information is rather on the claim that the information relates to a Third Party. Being a Public Authority, the Managing Committee should therefore act in a transparent manner and any information relating to how the Management Committee conducts its affair is open to Public view because it relates to a Public Activity as opposed to a Private activity.

Whether the information sought by the appellant falls within the category of third party as claimed by the Deemed PIO and whether sections 7(7),7(8) ,8(1) (d) and section 11 of the RTI Act 2005 is applicable and information and cannot be furnished .Section 7 (7) provides about the need to consider the representation by the Third party. Section 7(8) provides about the need to inform the applicant about the reasons for rejection of the request and the period under which an appeal can be filed before the appellate authority. Section 8(1)(d) provides exemption from disclosure of the information if it relates to commercial confidence, trade secret, or intellectual property the disclosure which would harm of the disclosure of the third party

To qualify for assumption under section 8(1)(j); it must be a personal information and the word **personal** is attributable to an individual and not to an institution. To claim exemption under the provision it has to be proved that the disclosure of the information has no relationship to public activity or interest. In this particular case, It is assumed that the public authority as part of a routine process of selection for short listing of qualified candidates asked for personal information from the candidates relating to their qualification etc, who are interested in teaching in the school and when appointed as teachers pay them salary out of the public funds of the school. This information cannot be classified **confidential** as such. While it is a fact that State has no right to invade the privacy of any individual, in this particular case the information asked for only relates to the constitution of the Managing Committee the resolution of the Managing Committee, the appointment letter, joining report and resignation of Shri Shamiur Reza and the payment made as salary out of the public fund to Shamiur Reza during the period of his service. Similarly the same information

is asked in the case of Ishmatara Rahman along with the relevant portion of acquittance register for payment of Science teacher for the period from 3-10-1994 out of the fund of the school along with the relevant portion of ledger bank balance in undisbursed of science teacher during the period of 1-3-1997 to 28-2-1998, 1-12-1997 to 29-2-2000 – 1-3-2001 to 31-5-2009 which are kept in the saving bank account of the school. The information asked clearly indicates appointment of teachers, approval from the Managing Committee and also the payment for science teachers and the bank balance of the undisbursed of science teacher which is maintained by the school and therefore appear to be a public activity of the school since it is supported by the Govt. and falls under the category of **public authority**. Clearly this is **public school** as differentiated from **private school** of an individual and therefore the information which relates to a public activity cannot be denied. The plea that information sought for is to be protected under the third party clause also does not appear to hold good as this has no relationship to personal information of Shamiur Reza and Ishmatara Rahman, which has been confidentially provided to the school. Their claim for third party protection therefore does not arise in this case.

The view that because the case filed by the appellant before the High Court relates to a third party viz., Shamiur Reza and Ishmatara Rahman and since the information sought for relates to them is barred under the provision of the RTI Act, 2005 unless they have no objection to the supply of the said information is not acceptable since the information is not confidential and cannot be classified under section 8(1)(d) as it is not at all related to commercial confidentiality, trade secret, or intellectual property, the disclosure of which would harm the third party. Section 11 of the RTI Act, 2005 provides that the PIO should take into consideration representation by the third party if he intends to disclose any information or record of the third party which has been supplied and wishes to be treated as confidential by the third party. In this particular case again, there is no element of any confidentiality as the information sought for by the appellant does not relate to any confidential information furnished by Ishmatara Reza and Shamiur Rahman to the school but relates to the manner in which the school as a public authority appoints the teachers and pay their salaries from month to month, which definitely the public authority cannot treat the information as **“confidential”**.

There is no submission by the Third party either to the PIO or otherwise as to how the disclosure of information on the above would cause harm to the pending case. Further on the basis of the discussion above, it is clear that information sought does not fall in the category of “third party” protection. Hence it was not necessary for the PIO to seek their views.

On the basis of the above discussion, the Commission is convinced that the Exemption clause indicated is not applicable in this case and there is no likelihood of any harm of their interest in the pending case and hence the appeal to disclose the information is allowed. The public authority is hereby ordered that the information available in the records of the school viz, Proceedings of the Management committee, Appointment, Resignation, Salaries paid including arrears to be paid should be made available to the appellant free of cost within a period of 30 days from the date of this order.

Fix 30th May 2012 for compliance.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Complaint/22/2012/6

Smti Angela Rangad, , Laban, Shillong - Complainant

- Vrs -

1. PIO, S.P.Office, East Khasi Hills, Shillong
 2. PIO, C.J.M., Shillong
- } Respondents

8-5-2012

ORDER

Perused complaint petition dated 7.5.2012.

According to the Complainant, she had filed two applications for information under section 7(1) of the RTI Act, 2005 on 3-5-2012 (i) to the PIO, office of the Superintendent of Police, East Khasi Hills, Shillong and (ii) to the PIO, office of the Chief Judicial Magistrate, Shillong along with the requisite application fee requesting that the information be furnished within 48 hours as it involves the life and liberty of a person. However, she alleged that no information have been received and thus it will be deemed that both the PIOs have refused to provide information of the facts within 48 hours as requested by the applicant.

On perusal of the documents enclosed with the complaint, it appears that information sought relates to the FIR and subsequent arrest etc of Shri H.H.Mohrmen, who does not appear to be a signatory to the Application. There is no indication of the sequence of the events and also no substantive evidence that any threat to life and liberty exist, attached with the application. Therefore, in the circumstances it is not clear to the Commission, about the stand of the complainant and whether consent of Shri H.H.Mohrmen, the accused, has been taken and why the information is required within 48 hours.

On the other hand, it also appears that on receipt of the application, the Respondent-PIOs have not furnished any reply and thus it is deemed that they have refused the request under section 7(2) of the RTI Act, 2005.

Register a complaint case.

Furnish a copy of the complaint to both the Respondent-PIOs.

Issue notice to the PIOs to show cause why the information sought for should not be provided as requested by the Complainant and why penalty according to section 20(1) of the RTI Act, 2005 should not be awarded for failure to provide full information in the time as requested by the applicant.

Fix **11-5-2012 at 11:30 AM** for show cause and hearing the case.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Complaint/22/2012/26

Smti Angela Rangad, , Laban, Shillong - Complainant

- Vrs -

1. PIO, S.P.Office, East Khasi Hills, Shillong }
2. PIO, C.J.M., Shillong } Respondents

14-5-2012

ORDER

Case records put up today.

The complainant, Shri Angela Rangad along with four other applicants for the information were present during the hearing together with Shri H.H.Mohrmen. She prayed the Commission for allowing them to be present during the hearing and to allow Shri H.H.Mohrmen to assist her during the hearing. She has also submitted written submissions in connection with the case.

The PIO, office of the Superintendent of Police, East Khasi Hills, Shillong and the PIO, office of the Chief Judicial Magistrate Court, Shillong were absent. However, individually they have submitted a show cause reply to the notice, copies of which has been given to the complainant accordingly.

Shri H.H.Mohrmen handed over copy authorizing the Meghalaya Right to Information Movement to pursue and file RTI on his behalf, which was placed on record.

During the hearing, the complainant submitted that it is very unfortunate that there is no system in place in the Court of the Chief Judicial Magistrate for seeking information. She alleged that her application dated 3-5-2012 was reluctantly accepted. Thereafter, she did not hear from the Public Authority till the receipt of the copy of the show cause from the PIO from the Commission.

She also stated that the PIO of the Superintendent of Police, East Khasi Hills, Shillong did not furnish the information as requested within 48 hours. It was only later that a Registered letter was received denying the information under section 8(1)(b)(h) of the RTI Act, 2005, without giving a details as to why information is denied.

In her submission, she stated that they have applied for information under section 7(1) of the Act with a request that reply be furnished within 48 hours from both the PIO office of the Superintendent of Police, East Khasi Hills and also the PIO office the Chief Judicial Magistrate Court, Shillong given the fact that there is a threat to the life and liberty of Shri H.H.Mohrmen, who was arbitrary detained and verbally threatened by the Police over the matter of alleged defamation. According to her, this is not a criminal offence of such a nature that warrants such action on the part of the Police. They have not followed proper procedure and process as prescribed by Law in such matters and thus it implies there is malafide intention aimed at harassing Mr H.H.Mohrmen. Harassment by the Police and the violation of his rights is considered to be an infringement on his life and liberty. she stated that the Constitution of India has given a widest possible interpretation to protection of Life and Liberty and this action of the Police not only constituted a violation of article 21 of the Constitution but violation of article 19 also. Further she stated that the denial of information by the PIO office of the Superintendent of Police, East Khasi Hills, who quoted section 8(1)(b) is merely an attempt to delay as he has given no reason to substantiate his claim. Taking recourse to Section 8(1)(b) is not acceptable as the section has to be read with Section 8(2) of the Act, which states that information has to be disclosed when public interest outweighs the need to deny public information. She has also quoted a precedent case of this Commission in WP (c) No 222 (SH) of 2009 in the case of AIGP, Meghalaya versus Smti Agnes Kharshiiing. The PIO while denying the information merely quoted the section without giving any reasons for denying the information and should have sent a Peon instead of sending the registered letter which delays the matter further.

The PIO, office of the Superintendent of Police, East Khasi Hills, Shillong in his written submission, has stated that the information comes under the purview of Section 8(1)(b)(c) of the RTI Act, 2005 and since the application was submitted without proper address or contact number the reply could not be sent within time frame as requested. In any case the application does not come under the purview of proviso to section 7(1) of the Act as there is no evidence to show that there is a threat to life and liberty of the signatory of the application and therefore prayed that the proceedings may be dropped.

The PIO office of the Chief Judicial Magistrate Court, Shillong submitted that she is not able to reschedule the case listed for the day and hence not able to appear before the Commission personally. However, she has submitted the show cause reply which may be taken into

consideration. In her submission, she stated that the application was not in the prescribed form 'A' of the Act. However, she received the application from the complainant and processed it accordingly. In their application there is no mention as to the kind of threat that would affect the life and liberty of the person and no specific reason was given as to why reply is to be given within 48 hours. In fact she was ready with the reply on 4.5.2012 itself, which is annexed with her show cause, but could not send it as there was no address or contact number and she was given to understand that the reply will be collected by them on the following day.

In her reply to the information sought, she clearly stated that she has been appointed as PIO office of the Court and Session Judge of the Chief Judicial Magistrate, Shillong. With regards to FIR filed to Shri H.H.Mohrmen, she stated that the matter is not within the CJM's administration and file noting of the PI to the CJM is not within the administration and clarified that in the Court all process are done by way of Court orders. In respect of orders of the Judge to the Laitumkhrah Police Station, she submitted that there is specific procedure for obtaining certified copies or non-certified copies from the court and that procedure has to be followed before obtaining this information.

Shri H.H.Mohrmen, in his submission stated that around second week of April, 2012, he received a call from the Laitumkhrah Police Station informing him that an FIR was filed against him and therefore he is required to appear before the Laitumkhrah Police Station for enquiry. Shri H.H.Mohrmen replied that he is not free and he will appear before the Police when he comes to Shillong to see his mother at a convenient date to which the officer in-charge of Laitumkhrah Police Station did not have any objection. On the day when he visited the Police Station, he was shown the FIR and thereafter some discussion took place where he was initially told to sign a bond failing which he will be arrested. The Police also initially told him that a witness will be required before signing a bond. Later on when the witness came to the Police Station they did not insist on signing the bond and he was allowed to go. He was also informed that he may be called for enquiry at any time and if he does not come he will be arrested. Thereafter, there was no call or any kind of threat from the Police. The approximate time for the whole process took about 2 hours.

The main issue before the Commission is whether this action by the Police constituted a threat to the life or personal liberty of Shri H.H.Mohrmen.

DISCUSSION;

Article 21 of the Constitution of India defines that “no person shall be deprived of his life or personal liberty except according to procedure established by Law”. Proviso to section 7(1) of RTI Act provides that if the information sought concerns the life and liberty of a person the same shall be provided within 48 hours of the receipt of the request.

In this particular case, it appears from the submissions made that Shri H.H.Mohrmen has written an article in the Newspaper which was considered to be “a defamation” by some persons, who filed an FIR in the Laitumkhrah Police Station. As prescribed in the Cr.PC, the Police on receipt of information have taken steps to enquire into the case. It is therefore necessary to find out whether such action of the Police constitutes a threat to the Life and personal Liberty of the person. The role of the Commission is to ensure that any information sought, which is permissible under the RTI Act should be provided. It is not, therefore, a proper forum to complain about whether the police have followed a correct procedure to inquire into alleged case of defamation

The PIO office of the Superintendent of Police, East Khasi Hills, Shillong in his reply has sought exemption under section 8(1) (h) of the RTI Act, 2005 and there is no obligation to furnish the information which would impede the investigation or apprehension of prosecution of offenders.

It would appear at this stage that the Police Officer is in the process of investigation into the alleged offence by the accused .The sequence of events as admitted by Shri H.H.Mohrmen himself do not indicate anywhere that his life has been threatened nor his Liberty affected. He was not detained unnecessarily nor asked to stop his writings. As far as the question of harassment by asking him to come for enquiry where he has to spend some time on the enquiry on an alleged case of defamation which has threatened the life and his personal liberty, it is not denied that there is an FIR filed against him. There is also no indication of any threat to his life or personal liberty since the Police has done nothing except to enquire from him about the FIR. Shri Mohrmen did not indicate that he was forced into giving a Statement against his will or put into duress for signing any document. The enquiry which took place for about two hours cannot really be termed as harassment or a detention beyond the permissible period.

Under the circumstances stated, the Commission is not convinced that this information sought falls within the proviso of section 7(1) of the RTI Act, 2005, which should be provided within 48 hours. However, the RTI Act, 2005 guarantees all citizens that information sought for should be provided in accordance with the provision of the Act. The provision of the Act clearly stated that the information should be provided within 30 days of the receipt of the

request as provided under section 7(1) to the applicant on payment of requisite fee as prescribed under the rule made under the Act, unless it is covered by the any of the exemption clause under section 8. The claim by the PIO that the information sought falls under the purview of section 8(1) (b)&(c) of the Act also appears not tenable as no copies of such directions forbidden by the court or likely to cause breach of privilege has been attached with his submissions. As far as the issue whether providing of the information would impede the process of investigation or apprehension of prosecution of offenders or not, it appears that the information sought by the applicants on 3-5-2012 contained a number of questions relating to the FIR against Shri H.H.Mohrmen and the process of inquiry. Unless the PIO can prove to the Commission that disclosing of any of the information is likely to impede the progress of the investigation of the case, all the information should be provided. The PIO, office of the Superintendent of Police, East Khasi Hills, Shillong is therefore directed to reexamine and process the application dt 3.5.2012 in the light of Section 7(1), 8 and section 10(1) of the RTI Act 2005 and inform the applicant accordingly.

The Applicants have also requested for inspection of documents before taking copies therewith. The PIO will fix a convenient date and time, with advance intimation to the applicant, for inspection of documents as defined under section 2(j) of the Act, which states that right to information also includes the right to – inspection of work, documents , records.

With regards to the submission from the PIO office of the Chief Judicial Magistrate, Shillong it is clarified that Section 6(1) of the Act clearly states that a person who desires information shall make a request in writing or through electronic means accompanying such fee as may be prescribed. The State Government has not specified anything in the Rules to the contrary. As informed by the PIO office of the Chief Judicial Magistrate, Shillong, the Court has its own rules regarding furnishing of copies of documents in connection with the case pending before it. If the Court have prescribed a rule and procedure for obtaining copies of such documents connected with the pending case , that procedure shall have to be followed for obtaining copies of the documents as desired from the Court.

With the above directions, the case is disposed off. However, the complainant is at liberty to come back to the Commission if any part of this order has not been complied with.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

....

Case. No. MIC/Complaint/26/2012/6

Rev Zambolis Sawkmie

- Complainant

-Vrs-

PIO, Martin Luther Christian University, Shillong

- Respondent

21-5-2012

ORDER

Seen complaint petition dated 11-5-2012.

According to the Complainant, he had sought information from the Martin Luther Christian University (MLCU) vide RTI application dated 4-4-2012, along with the requisite application fee. However, he alleged that after a period of 30 days also the PIO did not response to provide information as requested by the applicant. Apparently there is sufficient ground for inquiry into this complaint.

Register a complaint case.

Furnish a copy of the complaint to the Respondent-PIO.

Issue notice to the PIO to show cause why the information sought for should not be provided to the Complainant and why penalty according to Law should not be awarded to him for failure to provide information.

Fix **4-6-2012 at 11:30 AM** for show cause and hearing the case.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

....

Case. No. MIC/Complaint/26/2012/11

Rev Zambolis Sawkmie

- Complainant

-Vrs-

PIO, Martin Luther Christian University, Shillong

- Respondent

4-6-2012

ORDER

Case records put up today.

The Complainant, Rev Z.M.Sawkmie is present and has submitted that Rev K.Pyrtuh be also allowed to assist him during the hearing. The Respondent-PIO, M.L.C.U., Shillong, Shri S.Maxwell Lyngdoh, along with Rev E.H.Kharkongor, Registrar, M.L.C.U., are also present. There was no objection for Rev K.Pyrtuh to assist the complainant during the hearing.

The Respondent-PIO informed that he has submitted a reply to the show cause, a copy of which has been given to the Commission and also sent to Rev Z.M.Sawkmie.

In his submission to the show cause, Rev E.H.Kharkongor and Registrar, M.L.C.U., informed that on receipt of the application for information from Rev Z.M.Sawkmie, the University has taken up with the Commissioner & Secretary to the Govt. of Meghalaya, Health & Family Welfare Department, with a copy marked to the Commission and also to the complainant, seeking clarification from the concerned department about the sources of information on which the RTI applicant appears to have already obtained which assisted him in drafting the RTI application asking for specific queries . According to him, the clarification sought was as to how the documents pertaining to a proposal which is still in progress was made available to the applicant. He clarified that the M.L.C.U., did not respond to the application in view of the fact that the project proposal submitted is still under consideration by the Department of Bio Technology Department, Govt. of India and also taken into consideration the fact that there are still revisions which are being made. They would have no objection of furnishing the documents once the process is completed after sanctioning of the project. Till such time, he submitted that the information is covered by section 8(1) (d) which provides that there shall be no obligation to give any citizen **“Information including commercial confidence, trade secrets or intellectual property, the disclosure of which would harm the competitive position of a third party, unless the competent authority is satisfied that larger public interest warrants the disclosure of such information”**

The complainant, Rev Z.M.Sawkmie in his submission stated that the denial of the information by the Public Authority is unfair and not in accordance with the provisions of the

RTI Act, 2005. He did not receive any information at all as to why the request has been rejected and instead only a copy of the letter asking clarification from Health Department was sent. According to him it is not understood as to how the applicant was called a “third party” and how and why the information was also denied and the provisions of the RTI Act not followed.

Rev K.Pyrtuh who assists the complainant further added that the Public Authority is contradicting itself on many occasions. In an earlier case seeking for information where the question regarding section 4 about compulsory disclosure was discussed ,they have taken a stand that any information to be disclosed is at “the discretion of the Public Authority” whether information is to be given under public disclosure or not. The stand taken by the Public Authority that the information is covered by Section 8(1)(d) of the RTI Act 2005, on exemption from disclosure that the information is considered to be confidential and includes commercial, trade secret or intellectual property is not correct. There is nothing involving a trade secret or commercial confidentiality in the proposal. It is nothing but a project proposal which was submitted to the Govt. of India through Health Department, Govt. of Meghalaya, by the MLCU in collaboration with the Christian Medical College, Vellore. As a citizen he has the right to know about the schemes or projects submitted even before sanctioning for public scrutiny, whether the schemes or projects submitted indicate a factual position or not. In fact as a citizen, he has the right to object at the processing stage. There is nothing which is prejudicial in the proposal and it cannot be called a trade secret because there is no question of a tender or a bid which is in response to a quotation or a tender relating to award a contract.

On behalf of the Respondent-PIO, Registrar of MLCU, Rev E.H.Kharkongor, has clarified that though it is a fact that this is only a project proposal and not a bid in the sense of competition for the award of contract, but unfortunately even during the stage of processing of the scheme, there is already an information from C.M.C., Vellore that there are a group of people from Shillong requesting them not to collaborate in the project with M.L.C.U., which is unfortunate. Therefore, if the information is furnished more such objections will be raised; and a result would delay and become an obstacle for sanction of the project by the GoI.

Rev Sawkmie, countering the above argument, has stated that it is unfortunate that the Public Authority has been trying to hide the information on many occasions keeping the information away from the Public scrutiny. He cited a specific example where the Public Authority earlier has denied providing the information for a long time regarding the location of NEC Project. On his behalf, it was also submitted that it is very unfortunate that the Public Authority has by- passed and ignored the orders of the Commission in case No.MIC/Complaint/18/2011/34 dated 17-10-2011 and case No. MIC/Complaint/30/2011/22 dated 19-12-2011, and, therefore,

a very strict and strong action should be taken against the Respondent-PIO for denial of information, so that the same should not be repeated in future.

The Commission noted the fact that the Public Authority did not reply to the information seeker about the fate of his application dated 4th April, 2012 within the period of 30 days as prescribed under section 7(1) of the RTI Act, 2005. Even if the Public Authority had assumed that the information is exempted under section 8(1) (d), it should have informed the applicant immediately that since the information is considered to be exempted therefore it cannot be provided to him. It would then have been clear to the applicant, if he so desires, to seek recourse to the other provisions of the Law either to approach the Departmental Appellate Authority or to submit a complaint under section 18 of the RTI Act, 2005 to the Commission. The question of whether it is exempted or not could have then been examined by the relevant authority. However, it appears that this step as required under Section 7(1) was not taken by the MLCU and instead has written to the Health Department, Govt. of Meghalaya seeking clarification as to how the applicant appears to have received the document earlier. The RTI Act, 2005 assures the applicant seeking for information that it shall be provided to him and there is no restriction on the number of application he could asked nor does he has to give specific reasons for the same. Therefore, unless the information is exempted and so long as he is able to deposit the photocopying charges under the rule, he has the right to obtain information from any sources where he believes that the information is available. While it is up to MLCU to ascertain from where he has obtained the information earlier, but information sought cannot be denied to him on the plea that he has obtained the information earlier from another source.

The information sought for appears to relate to a project proposal sent to the Govt. of India through the Health Department, Govt. of Meghalaya “A Public Health Medical Laboratory Network with Affordable Service for Meghalaya and Epidemiology Research Cell Bases at an Allied Health Training Institute at Martin Luther Christian University, Shillong, Meghalaya with monitoring by Christian Medical College, Vellore”. It was claimed by the Public Authority that it has not been finalized as yet and revision to the project is still being made. There is nothing in the proposal, as clarified by the University, which is in response to a bid or auction by the Govt. of India for conducting the project. The claim for denial in this case on the basis of section 8(1) (d) as it contains confidential documents and trade secret or intellectual property which is the copyright of the University and the disclosure would harm their project do not therefore appear to be tenable. Since the information asked does not appear to be a bid or a document, there is no question of a competition which would placed the MLCU at a disadvantage, if the information is disclosed. There is also nothing to show that the proposal is confidential and it will harm the interest of MLCU. On the other hand the project is meant for the public and they have a right to know whether such project will be

suitable and will be beneficial for the State of Meghalaya and therefore there does not appear anything confidential about it.

The public has a right to scrutinize the project and make suggestions. If for a number of reasons it is found that the project is not beneficial for the State, there is no question of public money wasted. The objective of the Act is clearly stated that “it sets out a practical regime for citizens to secure access to information under the control of Public Authorities to promote transparency and accountability in the working of every Public authority”. Such information therefore cannot be considered as trade secret, as there is nothing commercial about it and also does not appear to be a research paper where there is a question of intellect property or copyright could be involved in this case.

On the basis, of the above, the Commission is convinced that the information has been denied without intimation to the applicant as required under section 7(1) of the RTI Act, 2005 and the arguments given during the time of hearing does not show that section 8(1)(d) of the RTI Act, 2005 is applicable in this case.

The Commission therefore is convinced that the Respondent-PIO, Martin Luther Christian University, Shillong viz., Shri S.Maxwell Lyngdoh has denied the information in this case, as no information has been provided to the applicant as provided under Section 7(1) of the RTI Act 2005. Under the powers conferred on the Commission under section 20(1) of the R.T.I. Act 2005, the Commission hereby imposed a penalty on the Respondent-PIO, Martin Luther Christian University, Shillong viz., Shri S.Maxwell Lyngdoh for the delay of 12 days i.e. w.e.f. 4-5-2012 to 15-5-2012) @ 250/- per day amounting to Rs. 3000/- (Rupees three thousand) only. He is required to deposit the above amount by Treasury Challans to the State Bank of India at Shillong 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 a period of 30 days from the date of this Order with intimation to this Commission. He shall furnish the required information free of cost within a period of 15 days from the date of this Order with intimation to this Commission.

Fix **10th July, 2012** for compliance.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Complaint/34/2012/6

Smti Agnes Kharshiing, Laitumkrah, Shillong - Complainant

- Vrs -

PIO., o/o Deputy Commissioner, East Khasi Hills, Shillong - Respondent

9-7-2012

ORDER

Perused complaint petition dated 9.7.2012.

According to the Complainant, she had filed for information under section 7(1) of the RTI Act, 2005 on 3-7-2012 to the PIO, office of the Deputy Commissioner, East Khasi Hills District, Shillong along with the requisite application fee requesting that the information be furnished within 48 hours as it involves the life and liberty of a person. However, she alleged that no information has been received and thus it will be deemed that the PIO has refused to provide information of the facts within 48 hours as requested by the applicant.

Register a complaint case.

Furnish a copy of the complaint to the Respondent-PIO.

Issue notice to the PIO to show cause why the information sought for should not be provided as requested by the Complainant and why penalty according to section 20(1) of the RTI Act, 2005 should not be awarded for failure to provide full information in the time as requested by the applicant.

Fix **12-7-2012 at 11:30 AM** for show cause and hearing the case.

Inform parties accordingly.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Complaint/34/2012/9

Smti Agnes Kharshiing, Laitumkhrah, Shillong - Complainant

- Vrs -

PIO., o/o D. C. (Rev), East Khasi Hills, Shillong - Respondent

12-7-2012

ORDER

Case records put up today.

The complainant, Smti Agnes Kharshiing is present. The Respondent-PIO and ADC (Revenue), East Khasi Hills District, Shillong is also present along with the show cause. Copy of the show cause to be furnished to the Complainant.

The complainant in her submission has stated that she had filed an application on the 3rd July, 2012, was duly received by the Receptionist of the Office. However, she learnt that the respondent PIO received the application only on the 5th July, 2012. It is very unfortunate that although the application was submitted under proviso to section 7(1) of the RTI Act 2005 requiring that the information is to be provided within 48 hours yet no action was taken by the respondent. The Application was made under the above clause because the issue of life and liberty to the person(s) were involved as these people have been forcefully evicted from their land in Mawlong/Mawtari village on the 30th June 2012 and deprived of their shelter on the plea by the Department of Urban Affairs that the land has already acquired lawfully through the Collector, East Khasi Hills, Shillong. Under the circumstances, this complaint has been filed as the Respondent-PIO did not respond to her application.

The Respondent-PIO in his submission submitted that it is a fact that some encroachers in the area have been evicted from the land which was acquired by the Govt. According to him the application was received on the 4th July and was put up to him only on the 5th July, 2012. Further some letters issued by the PIO Urban affairs were received on the 6th July, 2012. The applicant has asked for a number of information and related documents since 1995 and irrespective of the volume, all the information was made ready on the 9th July 2012. In the meantime a notice issued by the Commission was received on the 9th July 2012 and as such

no further action was taken. The issue involved life does not involve the habeas of corpus involving the life and liberty of a person(s) since the Complainant did not even mention names of the persons whose Life and Liberty has been mentioned in the application . The question about furnishing the information within 48 hours as claimed by the complainant therefore does not arise. He also submitted that he could not inform the Applicant about the application through oversight as he is busy with some other works in the Office.Hence he prayed that the Complaint may be dismissed as the Complainant has not made out a case for providing information under proviso to Section 7(1) of the Act.

On the basis above submissions, three issues have arisen:

- (1) Arrangements for receipt and disposal of application within the Public authority.
- (2) The manner in which the application should be disposed.
- (3) Whether the application involves the issue of life and liberty of the persons evicted?

Discussions

(1)As contended by both the parties it is clear that the application submitted on the 3rd July, 2012 to the Public Authority, was duly received. Thereafter, no action was taken to hand it over to the Respondent-PIO in time and in the process 48 hours had already elapsed before the application actually reached the Respondent-PIO, who is to deal with the application. Section 6(1) clearly states that, a person, who desires to obtain any information under this Act, shall make a request in writing or through electronic means accompanying such fee as may be prescribed, to the PIO or to the APIO specifying the particular information sought by him or her.

In this case, it appears that the Public Authority did not make any differentiation between the receipt normal official daks and the RTI application, which has resulted in a situation where the application has been received by person other than a PIO or APIO, without immediately handing it over to the PIO. This has resulted in the delay in receipt of the application by the PIO.

(2) On receipt of the application, the Respondent-PIO in this case, should have first examined the applicability of proviso to section 7(1) of the Act to the case in question and decide accordingly with the intimation to the applicant. This appears to have not done as according to him there is clearly no justification for furnishing the information within 48 hours as even the names of persons involved were not mentioned. Section 7(8) of the Act provides that if the request is rejected, the Respondent-PIO should communicate to the person making a request on:-

- (i) the reasons for such rejection,
- (ii) the period within which an appeal against such rejection may be preferred,
- (iii) the particulars of the Appellate Authority.

Thus the respondent PIO erred in not informing the Applicant about the fate of her Application.

- (3) Regarding the issue of providing the information within 48 hours, on the query by the Commission, the complainant clearly stated that the names of the persons whose life and liberty are at stake has not been mentioned through oversight. She stated that there are many people involved who have been forcefully evicted from their land which they claimed is theirs and have not been acquired by the Govt. since no compensation was paid to them. While the fact that some people in the area have been evicted has not been denied by the Respondent-PIO, it is a fact that names of the persons and other details have not been given which makes it very difficult for any authority to examine whether the issue of life and liberty is involved at all, since it is not known whether those people are really encroachers or whether they actually owned the land in question or whether they have received the Compensation.

The question of life and liberty will be involved only when specific issues along with justification as to how the person or persons are affected by the action of the authorities. Merely the fact that people have been evicted from their land without actually knowing whether the land belongs to them or to the Government is a question of fact based on the documents and if there is any doubts the issue is to be decided by the Court of Law. For eviction of encroachers, there is a specific procedure prescribed by Law where adequate notice etc has to be issued before the encroachers are physically removed. It is not within the scope of the Commission to look into those issues. However from the facts presented before the Commission, the Complainant has not made out a case for providing the information within 48 hours as the ingredients involving the life and liberty of specific persons could not be established.

On hearing both sides, the Commission hereby orders that,

- (1) The Public Authority should clearly specify the PIOs and APIOs to receive any RTI application with due acknowledgement so that these kind of lapses do not occur in future.
- (2) The Commission noted the submission made by the Respondent-PIO that he made an attempt to make all the information ready. However, through oversight he had not officially informed the applicant. In future, he it is to note that if such application is received, the Law has to be observed in true letter and spirit and he should response

to the applicant immediately irrespective of the fact that whether the request of the applicant could be entertained or not as provided under section 7(8) of the Act.

- (3) The Commission is not convinced that the present application before the Respondent-PIO that information should be provided within 48 hours on the basis of the discussions above.
- (4) The Commission also hereby orders that though the application cannot be entertained under the proviso to section 7(1) of the Act that it should be provided within 48 hours, yet in any case the information asked for should be provided to the applicant within 30 days as prescribed under section 7(1) of the Act and according to the Rules and Regulation framed there under.

Case disposed off.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

....
Case. No. MIC/Appeal/9/2012/16

Shri Anisul H.Laskar, Laitumkhrah, Shillong - Appellant

-Vrs-

PIO, Meghalaya Urban Development Authority, Shillong
FAA, , Meghalaya Urban Development Authority Shillong } Respondents

ORDER

22-8-2012 Seen the appeal petition filed by Shri Anisul H.Laskar against the Public Information Officer (PIO) and the First Appellate Authority (FAA) of Meghalaya Urban Development Authority (MUDA, Shillong.

Briefly the appeal is that the appellant prayed that the order dated 30th July, 2012 passed by the Secretary, Meghalaya Urban Development Authority (MUDA) be declared null and void and to be set aside. He further appeal that the Photo copies of the documents as applied by him vide application dated 30th May, 2012 be supplied to him without any further delay.

Apparently, it appears that there are adequate grounds for admission and hearing of the Appeal.

Issue notice to the PIO and the First Appellate Authority, Meghalaya Urban Development Authority (MUDA), Shillong asking them to show cause to why the photo copies of documents as applied vide application dated 30-5-2012 not supplied to him.

Fix **14-9-2012 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/9/2012/37

Shri Anisul H.Laskar, Laitumkhrah, Shillong - Appellant

-Vrs-

PIO, Meghalaya Urban Development Authority, Shillong
FAA, , Meghalaya Urban Development Authority Shillong } Respondents

ORDER

14-9-2012 Case records put up today.

The Appellant Shri Anisul H.Laskar is absent, in spite of adequate notice which has been sent to him. The Respondent-PIO and Town Planning Officer, Meghalaya Urban Development Authority along with First Appellate Authority and Secretary, Meghalaya Urban Development Authority, Shillong are present. Both have submitted their show cause and their written submission were heard.

In view of the absent of the Appellant, the Commission has given another opportunity to him for submission before taking a decision on the Appeal. The Commission has also received a petition from Dr Athiqul H.Laskar praying that he may also be giving a chance of hearing. From the records available, it appears that the FAA has also heard the submission of Dr Athiqul H. Laskar. This is an Appeal proceeding and therefore any issue which has not been raised in the first stage of Appeal will not be taken up at this stage. However, for the ends of justice he may also appear for making submission, if he so desires.

Fix **9-10-2012 at 11:30 AM** for hearing.

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

MEGHALAYA INFORMATION COMMISSION, SHILLONG

....

Case. No. MIC/Appeal/9/2012/38

Shri Anisul H.Laskar, Laitumkrah, Shillong - Appellant

-Vrs-

PIO, Meghalaya Urban Development Authority, Shillong
FAA, , Meghalaya Urban Development Authority Shillong } Respondents

ORDER

9-10-2012 Case records put up today.

The Appellant Shri Anisul H.Laskar is absent. The First Appellate Authority (FAA) and Secretary, Meghalaya Urban Development Authority (MUDA) and also the Respondent-PIO, Meghalaya Urban Development Authority (MUDA) are also absent. Dr Athiqul H.Laskar, who filed a petition for giving him a chance of hearing, was also absent in spite of giving adequate notice for him to appear and make any submission before the Commission as requested by him. This is the second time that the Appellant was absent and since the Respondent-PIO, MUDA and the FAA and Secretary, MUDA have already made their written submissions it was decided to take the case ex-parte.

The case of the Appellant Shri Anisul H.Laskar s that he has sought certain information on 29-8-2011 and it was furnished to him by the PIO, MUDA vide letter dated 16-9-2011. Subsequently on 30-5-2012, he sought more information on the following documents, which was submitted by Dr Athiqul H.Laskar, in connection with permission of construction of the building:-

- (a) Application.
- (b) deed of declaration.
- (c) schedule of the land.
- (d) non-encumbrance certificate.
- (e) family settlement deed.

On receipt of the application, assuming it to be a third party information, the PIO issued a notice to Dr Athiqul H.Laskar asking him if he has any objection to the disclosure of the information.

On receipt of the objection to the disclosure of information from Dr Athiquil H.Laskar and after due consideration, the PIO, MUDA informed him that the documents as sought for by the Applicant dated 30-5-2012 will be disclosed on or before the 4th July, 2012 and informed him that he could prefer an Appeal against this decision to the Appellate Authority if he so desires.

He filed an Appeal before the FAA and Secretary, MUDA. After going through the records, while disposing off the appeal on 16th July, 2012 he has issued an order as follows:

“Where as it appears that the Public Information Officer has already supplied some information to the applicant on 16th September, 2011 and now the applicant Shri Anisul Haque Lashkar has requested for more information.

In view of the above, I am of a considered view that since the P.I.O., has already supplied the information, though in part, there is no reasonable ground for him not to supply further information as applied for.

Therefore, the appeal filed by the Dr Athiquil H.Lashkar has no ground for consideration. The instant appeal is therefore rejected and disposed of. The P.I.O, is directed to supply the information as appeal for by Shri Anisul Haque Laskar”.

Subsequently, on receipt of the order, Dr Athiquil H.Laskar filed another petition to the FAA and Secretary on 28th July 2012, MUDA strongly objecting to the decision taken by the FAA in the case and requested him for another hearing on the Appeal on the ground that his younger brother Shri Anisul H.Laskar, the Appellant in this case, has been causing a lot of problem including threat for obtaining information. On receipt of the petition, the FAA and Secretary, MUDA passed an order on the 30th July, 2012 fixing 2-8-2012 for re-hearing of the Appeal by informing both the parties. Apparently, the Appellant Shri Anisul H.Laskar did not attend the hearing and only Dr Athiquil H.Laskar was heard. During the hearing, the plea given by the petitioner was that all the documents as sought by Shri Anisul H. Laskar consist of documents which were obtained from different authorities and MUDA not being the source of the documents cannot disclose the documents to him. If he is keen, he should have gone to the various public offices to obtain those documents and also alleged that he had caused a lot of problem to him and his family and enough harassment and damage has been done. He also claimed

that he and his family have been under constant threat and harassment from Shri Anisul H.Laskar and therefore the information should not be disclosed. The FAA and Secretary, MUDA after hearing him has observed as follows:

“From the record it is clearly show that some of the information already supplied to the Respondent are:

- 1. Name of Person who has filed the complaint in pursuance to the notice dated 04-07-2011.*
- 2. Copy of the notice dated 04-07-2011.*
- 3. Application for Building permission/construction made by/on behalf of Dr Athiqul H.Laskar for construction of a house at Nongkynrih, Laitumkhrah.*
- 4. Land document submitted to MUDA by Dr Athiqul H.Laskar.*
- 5. Information as to whether construction has been granted by MUDA.*
- 6. Building Permission granted by MUDA.*
- 7. Extract of Note sheet.*

From the records available and the points submitted by the appellant it is understood that the schedule of land located at Nongkynrih, Laitumkhrah in the name of Dr Athiqul H.Laskar has already been made known to the applicant since he had already received the land document pertaining to the said land.

I agree with the Appellant that MUDA is not the custodian of land documents or the authority to issue documents related to landed property. However, the PIO has committed wrong in supplying the landed documents to the Respondent/applicant earlier. But the wrong cannot go on. The Respondent/applicant requests for copies of the documents that are related to the property of the Appellant which, I feel is very much covered under Clause (e) of section 8(1) of the RTI Act, 2005.

Therefore, I am of a considered view to reject the application filed by the Respondent/applicant since the information required by him is barred by clause (e) of section 8(1) of the RTI Act, 2005”.

The FAA also agreed with the contention of Dr Athiqul H.Laskar that MUDA is not the custodian of land documents nor the authority to issue documents related to landed property.

Not satisfied with the decision and action taken by the PIO and the FAA and Secretary, MUDA, whom he termed as highly illegal and violation of

provisions of RTI Act, 2005, he filed this instant Appeal before this Commission mainly on the following grounds:

- (1) that the FAA and Secretary, MUDA has no authority or jurisdiction under the RTI Act, 2005 to pass the order dated 30th July, 2012 for re-hearing the Appeal which has already been disposed off in his favour.
- (2) Once the Appeal of Dr Athiqul H.Laskar was dismissed vide order 16th July, 2012 there is no provision for review that he can move the FAA in another hearing. He could have filed the second Appeal before the Chief Information Commissioner against the order passed by the FAA and Secretary, MUDA.
- (3) That the PIO has failed to comply with the first order of the FAA and Secretary MUDA.
- (4) That both the Respondent PIO and the FAA and Secretary MUDA has greatly erred in Law for applying section 11 of the Act in this case.

He therefore, prayed that the information as sought for by him, vide application dated 30th May, 2012 be furnished to him and the second order of the FAA and Secretary, MUDA in the Appeal petition of Dr Athiqul H.Laskar should be set aside.

The Respondent-PIO in his submission stated that it is a fact that he has received the application dated 30th May, 2012 from Shri Anisul H.Laskar and that the information sought for related to a third party, Dr Athiqul H.Laskar was given an opportunity to reply within 10 days, if he has any objection to the supply of the document. On 8th June, 2012 he received a letter from Dr Athiqul H.Laskar requesting him not to disclose the information as to the application he caused undue harm to him. After examination of the petition by Dr Athiqul H.Laskar, on 26-6-2012, he informed that information will be disclosed on order before the 4th July, 2012. However, he may prefer an Appeal before the FAA and Secretary, MUDA under section 19(2) of the RTI Act, 2005, if he has any objection to the same. Accordingly, Dr Athiqul H.Laskar filed an Appeal before the FAA and Secretary, MUDA. After consideration of the circumstances of the case, FAA rejected the petition on 16th July, 2012. While he was in the process of complying with the order of the FAA and Secretary, MUDA, on 30-8-2012, Dr Athiqul H.Laskar filed another Appeal requesting for hearing and the same was fixed 2nd August,

2012. Shri Anisul H.Laskar was absent. After considering the petition of Dr Athiquil H.Laskar, the FAA and Secretary, MUDA decided that the application filed by Shri Anisul H.Laskar be rejected as it is barred by clause (e) of Section 8 (1) of the RTI Act, 2005.

The written submission of the FAA and Secretary, MUDA also was on similar lines and submitted that on the second hearing of 2nd August, 2012 while Dr Athiquil H.Laskar was present, Shri Anisul H.Laskar did not turn up and case was heard ex-parte. According to him, after hearing the submission made by Dr Athiquil H.Laskar, it was clear that the information sought by Shri Anisul H.Laskar are private in nature and are covered under clause (e) of Section 8(1) of the RTI Act, 2005 and since MUDA is not the custodian of the land documents nor the authority to issue documents related to land property he reversed the decision. He also found that the PIO has committed a wrong in supplying the information to the respondents/application earlier.

The Commission has also received a petition from Dr Athiquil H.Laskar dated 3-9-2012 informing that he had filed an Appeal under section 19(2) of the RTI Act to the FAA and Secretary, MUDA not to disclose any information to the applicant and after hearing the matter the FAA was pleased to allow his Appeal and rejected the application filed by the Appellant. On hearing that, Shri Anisul H.Laskar has preferred a Second Appeal before the Commission for disclosure the documents with a view to harass him. In his petition, he has also stated that an FIR has been lodged by Shri Anisul H.Laskar in Laitumkhrah Police Station that false allegation against him and his family. He therefore, appeal before the Commission not to disclose any information as sought for by Shri Anisul H.Laskar as the same is barred under section 8(1)(e) of the RTI Act, 2005 and requested that a chance of hearing may kindly be given to him. After due consideration and following the principle of natural justice, he was given an opportunity of being heard. However, neither the Appellant in this case, Shri Anisul H.Laskar, nor the petitioner, Dr Athiquil H.Laskar appeared before the Commission. The Respondent-PIO and also the FAA and Secretary, MUDA as mentioned earlier had made their written submissions on the 14th September, 2012. However, today, none of the parties have appeared and it was decided to take up the case ex-parte based on records available in this case.

On the basis of the above following issues have arisen:-

- (1) Whether the claim that the documents submitted for the building permission could be considered as third party information and confidential which could not be disclosed to the others?
 - (2) Whether there is any harm likely to be caused to the owner of the building if the documents are disclosed and whether there is any public interest involved?
 - (3) Whether the FAA has any power for rehearing of the Appeal once the Appeal petition has already been decided?
-

1. On perusal of the records in the case, it is clear that the information sought was regarding certain documents which were furnished by the applicant Dr Athiql H.Laskar to MUDA for getting permission construction of his building. The decision to grant permission for construction by MUDA was on the basis of the documents furnished, after conduct of inspection of the location to ensure that all the rules and bye-laws of the MUDA have been complied with. MUDA, being a public office, has a duty to perform in the public interest to ensure that transparency is maintained while giving permission and also accountable if proper checks have not been done before granting of such permission.

In this particular case, MUDA before giving a building permission asked for certain documents in support of the application which includes land ownership, plans structure of the building, non-encumbrance certificate, no objection certificate etc. On receipt of the documents and after survey and inspection of the land, permission is granted in accordance with the MUDA bye-laws. These documents form the basis on which the permission is given. They are general documents and do not involve the issue of any designs and architectural drawings at all which could be considered exemption. Once such general documents are submitted before a Public Office, who is entrusted with the authority to issue a license or permission to construct a building, they become Public documents and has to be available in the Public domain. Any citizen has a right to know whether the procedure for granting of building permission have been followed according to the bye-laws or not. Thus none of

the clauses of section 8 of the Act could be invoked. The main objective of the RTI Act is to ensure transparency while performing a public office.

2. At the time of submission of documents to MUDA, the applicant was fully aware that norms have to be followed, according to the bye-laws where the safety of the building etc has to be ensured since no one can construct a building which could pose harm to neighbors. Therefore, when any citizen asked for information from MUDA, though the information is submitted by a third party yet this is not the information which could be classified under section 11, although the Respondent-PIO has given him an opportunity to represent. Interestingly, even at the time of the First Appeal the plea taken by Dr Athiquil H.Laskar was that those documents were not issued by MUDA and hence they cannot disclose those documents to the applicant. It would appear as if he would have no objection if the applicant can obtain these documents from various authorities, who issued those documents. His other contention rather was that the applicant was causing harassment and threat to him and his family. Nowhere has he indicated that disclosure of the documents would affect his interests. Besides there is no question of trade secrets or Copyrights etc involved. In fact, from the orders of the Appellate Authority it is apparently clear that two of the documents sought for by the Applicant i.e. the application and the land documents including schedule of land etc have already been provided. It is only the following documents which have not been furnished:-

- (1) Deed of declaration.
- (2) Non-encumbrance certificate.
- (3) Family settlement deed,

He also pleaded before the FAA that the Appellant was also a signatory to the family settlement deed and would have had a copy for himself at the time of signing of the documents. If it is so, what is the harm to disclose if all documents are genuine?

While construction of the building considered as a private affairs of a person where no one could interfere, it is also a fact that in a society construction of a building is likely to have some impact on the neighbors in terms of safety, rain water and waste disposals also obstruction likely to cause the neighbors. To that extent there is a public interest involved. While there

can be no public interest to the neighbors as to the designs and drawings of a house, the number of rooms etc, it is definitely a public interest that safety of the building and proper setback to be ensured so that no harm is caused to the neighbors before or after construction. The information sought by the Appellant in fact does not involve any of the designs and drawings, except for those documents to establish the fact that owner has a legal authority and has a right over the land. In view thereof, it would appear that there is no harm in disclosing the information as there is public interest involved.

3. On perusal the records clearly indicate that on receipt of the appeal petition of Dr Athiqul H.Laskar on 26th June, 2012, the FAA and Secretary, MUDA he disposed off the Appeal, on 16th July, 2012 rejecting the Appeal and directing the PIO to disclose the information as applied for by Shri Anisul H.Laskar. There after, another petition was filed by Dr Athiqul H.Laskar on 28th July, 2012, strongly objecting the decision of the FAA and requesting for another hearing. The FAA fixed 2-8-2012 for disposal of the petition and on 2-8-2012 reversed his decision stating that the information sought by the Appellant Shri Anisul H.Laskar is rejected as information required by him is barred by clause (e) of Section 8(1) of the RTI Act, 2005. There is no provision under section 19(1) of the RTI Act, 2005 where there is any scope at the stage of the First Appeal for entertaining another Appeal nor review once the decision has been taken. The authority for review only lies with the Commission, as derived from section 18(3) of the RTI Act 2005, because it is only the Commission who is entrusted with the power of Civil Court and draws its authority from Section 114 and Order LXVII of the Court of Civil Procedure and that too under certain circumstances. In view thereof, the FAA and Secretary, MUDA has therefore erred in entertaining the petition of Dr Athiqul H.Laskar and reverse its own decision taken earlier.

On the basis of the above discussion and the circumstances of the case, the Commission is of the view that while Right to Privacy is very sacrosanct, a citizen also has a right to information and a balance has to be maintained between the two. It finds that no harm will be done if the copies of the following documents are disclosed to the Appellant. It is therefore hereby

directed that the respondent PIO provides these documents which have not been given earlier i.e.

- (1) Deed of declaration,
- (2) Non-encumbrance certificate,
- (3) Family settlement deed,

And should be disclosed to the Appellant within a period of **15 days**.

Case disposed off.

Fix **12th November, 2012** for compliance report.

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

Chapter – 7

Implementation of the Right to Information Act, 2005 in Meghalaya during 2012

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 reflect the complete picture, due to the fact that some Departments did not submit the relevant information called for by the Commission. The list of defaulters is given in Table 7.6.1.

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 Information requests by the Public Information Officers

Section 25 (3) (a)

During the year 2012 a total number of 1283 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 1289 cases. Out of these, 1231 requests were disposed of by the PIOs during the year which is about 95%. The remaining requests of 42 carried over to the next calendar year for disposal. The total number of requests rejected and deemed to have refused by the PIOs were 16 which is approximately less than 1% from the total number of requests received by the PIOs.

7.2.1 Disposal of Information Requests by Public Information Officers/Public

Authorities

Reporting Year: 2012

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	8	8	8	Nil	Nil	Nil
	Dte.of Hort	Nil	11	11	11	Nil	Nil	Nil
	C.E. Irrigation							
	Meghalaya State Agricultural Marketing Board, Shillong	Nil	2	2	1	Nil	Nil	Nil
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	9	9	9	Nil	Nil	Nil
4	<u>Border Areas Dev.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of BAD	Nil	11	11	11	Nil	Nil	Nil
5	<u>C.M.Secretariat</u>							
	Sectt.Dept.							
6	<u>Cabinet Affairs</u>							
	Sectt.Deptt.	Nil	5	5	5	Nil	Nil	Nil
7	<u>Communication</u>							
	Sectt.Dept	Nil	Nil	Nil	Nil	Nil	Nil	Nil
8	<u>C&RD</u>							
	Sectt.Dept.	Nil	12	12	12	Nil	Nil	Nil
	Dte.of C&RD	Nil	1	1	1	Nil	Nil	Nil
	DRDA, East Khasi Hills, Shillong	Nil	54	54	54	Nil	Nil	Nil
	DRDA, East Garo Hills, Williamnagar	1	5	6	4	Nil	Nil	Nil
	DRDA, West Garo Hills, Tura	Nil	5	5	5	Nil	Nil	Nil
	DRDA, Jaintia Hills, Jowai	Nil	Nil	Nil	Nil	Nil	Nil	Nil
DRDA, West Khasi Hills,	Nil	2	2	2	Nil	Nil	Nil	

	Nongstoin							
	DRDA, Ri-Bhoi District, Nongpoh	Nil	10	10	10	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	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	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	3	3	3	Nil	Nil	Nil
	Cooperative Federation Ltd.							
	10	<u>District Council Affairs</u>						
Sectt.Deptt.		Nil	3	3	3	Nil	Nil	Nil
KHADDC								
JHADDC		1	29	30	29	1	Nil	Nil
GHADDC								
11	<u>Education</u>							
	Sectt.Deptt.	Nil	37	37	37	Nil	Nil	Nil
	DHTE	1	26	27	24	Nil	Nil	Nil
	DEPT	Nil	3	3	3	Nil	Nil	Nil
	DEME							
	MBOSE							
DSEL	Nil	27	27	19	5	Nil	Nil	
12	<u>Elections</u>							
	Sectt.Deptt.	Nil	16	16	16	Nil	Nil	Nil
	C.E.O.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DCs	Nil	30	30	30	Nil	Nil	Nil
13	<u>E.R.T.S.</u>							
	Sectt.Deptt.							
	Com.Tax	Nil	35	35	35	Nil	Nil	Nil
	Com.Excise	Nil	7	7	7	Nil	Nil	Nil
	Inspector General of Registration	Nil	14	14	14	Nil	Nil	Nil
	Superintendent of Stamps							
	Registrar of Societies							

	Dte.of Megh. State Lottery	Nil	3	3	3	Nil	Nil	Nil
	Meghalaya Commission of Resource Mobilization	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	District Registrar, Baghmara	Nil	Nil	Nil	Nil	Nil	Nil	Nil
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	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	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
	Finance (A.F.)	Nil	3	3	3	Nil	Nil	Nil
	Finance (P.C.)	Nil	2	2	2	Nil	Nil	Nil
15	<u>Food & Civil Supplies</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Food & Civil Supplies	Nil	25	25	23	3	3	3
	Meghalaya State Consumer Disputes Redressal Commission	Nil	Nil	Nil	Nil	Nil	Nil	Nil
16	<u>Forest & Env.</u>							
	Sectt.Deptt.	2	7	9	5	Nil	Nil	Nil
	O/o PCCF	Nil	26	26	26	Nil	Nil	Nil
	O/o CCF (Social Forestry)	Nil	11	11	11	Nil	Nil	Nil
	O/o(Research/Training & Wildlife)	Nil	2	2	2	Nil	Nil	Nil
	O/o CCF (Territorial)	Nil	20	20	20	Nil	Nil	Nil
	O/o CF (WL) Meghalaya Shillong	Nil	13	13	13	Nil	Nil	Nil
O/o CF (WL) Tura								

17	<u>Fisheries</u>							
	Sectt.Deptt.							
	Dte.of Fisheries	Nil	6	6	6	Nil	Nil	Nil
18	<u>G.A.D.</u>							
	Sectt.Deptt.							
	Office Estate Officer							
	Dte. of Sainik Welfare	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Zila Sainik Welfare							
	G.A.D. (B)							
	G.A.D (A)	Nil	8	8	8	Nil	Nil	Nil
19	<u>Home (Police)</u>							
	Sectt.Deptt.	1	85	86	66	4	Nil	Nil
20	<u>Home Guards & Civil Defence</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte. Of Civil Defence & Home Guards							
21	<u>Home (Jails)</u>							
	Sectt.Deptt.							
	Director General of Prisons	Nil	17	17	17	Nil	Nil	Nil
22	<u>Home (Passport)</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
23	<u>Health & F.W.</u>							
	Sectt.Deptt.	Nil	22	22	22	Nil	Nil	Nil
	DHS (MI)	Nil	12	12	12	Nil	Nil	Nil
	DHS (MCH)	Nil	13	13	13	Nil	Nil	Nil
	DHS (R)	Nil	1	1	1	Nil	Nil	Nil
24	<u>Housing</u>							
	Sectt.Deptt.							
	Dte.of Housing Meghalaya State Housing Board	Nil	4	4	4	Nil	Nil	Nil
25	<u>Industries</u>							
	Sectt.Deptt.	Nil	8	8	8	Nil	Nil	Nil
	Dte.of Commerce Industries	Nil	25	25	25	Nil	Nil	Nil
	MIDC	Nil	2	2	2	Nil	Nil	Nil
	MCCL							
	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
MEDC Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil	
26	<u>Information & Public Relations</u>							

	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
	Dte.of I.P.R.							
27	<u>Information Technology</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
28	<u>Law (A)</u>							
	Sectt.Deptt.							
	Law (B)	Nil	8	8	8	Nil	Nil	Nil
29	<u>Labour</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Employment & Craftsmen Training	Nil	11	11	11	Nil	Nil	Nil
	O/o Administrative Medical Officer	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Commandant of Civil Task Force	Nil	3	3	3	Nil	Nil	100%
30	<u>Mining & Geology</u>							
	Sectt.Dept	Nil	7	7	7	Nil	Nil	Nil
	Dte.of Mineral Resources	Nil	9	9	9	Nil	Nil	Nil
31	<u>Planning</u>							
	Sectt.Deptt.	Nil	4	4	4	Nil	Nil	Nil
	Programme Implementation & Evaluation Dept.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte. of Programme Implementation & Evaluation Dept.	Nil	3	3	3	Nil	Nil	Nil
	Dte.of Economics & Statistics	Nil	8	8	6	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	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	Centre, Shillong							
	Meghalaya State Planning Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Rural Development Society, Shillong	Nil	3	3	3	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	14	14	14	Nil	Nil	Nil
	Personnel & A.R. (B) & SRC	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC,EK Hills	Nil	70	70	70	Nil	Nil	Nil
	DC, Ribhoi District	Nil	35	35	35	Nil	Nil	Nil
	DC, Jaintia Hills	Nil	5	5	5	Nil	Nil	Nil
	DC, West Khasi Hills	Nil	13	13	13	Nil	Nil	Nil
	DC, West Garo Hills, Tura	Nil	9	9	5	Nil	Nil	Nil
	DC, East Garo Hills	Nil	3	3	3	Nil	Nil	Nil
	DC, South Garo Hills	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	M.P.S.C.	Nil	28	28	28	Nil	Nil	Nil
	Commissioner of Divisions East, West Khasi Hills, Jaintia Hills, Ribhoi District	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Personnel AR (ARC) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MATI	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	D.C. Mawkyrwat	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	D.C. Khliehriat	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	D.C. Resubelpara	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	D.C. Ampati	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner of Division Tura	Nil	Nil	Nil	Nil	Nil	Nil	Nil
33	<u>Political</u>							
	Sectt.Deptt.	Nil	5	5	5	Nil	Nil	Nil
34	<u>P.H.E.</u>							
	Sectt.Deptt.							
	Chief Engineer							
	Pollution Control Board	0	25	25	19	Nil	Nil	Nil
35	<u>Power</u>							

	Sectt.Deptt.	Nil	4	4	4	Nil	Nil	Nil
	M.E.C. Ltd.	Nil	26	26	26	Nil	Nil	Nil
	MSERC	Nil	2	2	2	Nil	Nil	Nil
	MNREDA	Nil	5	5	5	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	2	2	2	Nil	Nil	Nil
37	<u>P.W.D.</u>							
	Sectt.Deptt.	Nil	12	12	11	Nil	Nil	Nil
	C.E.PWD(R&B)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.PWD (NH)	Nil	1	1	1	Nil	Nil	Nil
	C.E.PWD (B)	Nil	2	2	2	Nil	Nil	Nil
	Megh. Govt. Construction Corporation Ltd.	Nil	1	1	1	Nil	Nil	Nil
	PWD (R)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
38	<u>Parliamentary Affairs</u>							
	Sectt.Deptt.	Nil	4	4	4	Nil	Nil	Nil
39	<u>Revenue & Disaster Management</u>							
	Sectt.Deptt.	Nil	7	7	7	Nil	Nil	Nil
	Meghalaya Board of Revenue	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.Land Records & Survey	Nil	6	6	6	Nil	Nil	Nil
40	<u>SAD</u>							
	SAD (A)	Nil	2	2	2	Nil	Nil	Nil
	SAD (E)	Nil	5	5	5	Nil	Nil	Nil
	SAD (N)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (R)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
41	<u>Sports & Youth Affairs</u>							
	Sectt.Deptt.	Nil	6	6	6	Nil	Nil	Nil
	Dte.of S.Y.A.							
42	<u>Social Welfare</u>							
	Sectt.Deptt.	Nil	7	7	7	Nil	Nil	Nil
	Dte.of Social Welfare	Nil	16	16	14	Nil	Nil	Nil
	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	for Women							
	Commissioner for Person with Disabilities	Nil	1	1	1	Nil	Nil	Nil
43	<u>Soil & Water Conservation</u>							
	Sectt.Deptt.	Nil	5	5	5	Nil	Nil	Nil
	Dte.of Soil & Water	Nil	25	25	25	Nil	Nil	Nil
44	<u>Sericulture & Weaving</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Sericulture	Nil	3	3	3	Nil	Nil	Nil
45	<u>Transport</u>							
	Sectt.Deptt.							
	Comnr.of Transport	Nil	3	3	3	Nil	Nil	Nil
	M.T.C.	Nil	6	6	6	Nil	Nil	Nil
	D.T.O.s	Nil	45	45	45	Nil	Nil	Nil
	Secretary, State Transport Authority	Nil	21	21	21	Nil	Nil	Nil
46	<u>Tourism</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Tourism	Nil	22	22	22	Nil	Nil	Nil
	MTDC	Nil	2	2	2	Nil	Nil	Nil
47	<u>Urban Affairs</u>							
	Sectt.Deptt.	Nil	11	11	11	Nil	Nil	Nil
	Dte.of Urban Affairs	Nil	12	12	10	Nil	Nil	Nil
	Shillong Municipal Board	Nil	11	11	11	Nil	Nil	Nil
	Jowai Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MUDA	Nil	2	2	2	Nil	Nil	Nil
	Tura Municipal Board	Nil	1	1	1	Nil	Nil	Nil
	Williamnagar Municipal Board	Nil	2	2	2	Nil	Nil	Nil
	Resubelpara Municipal Board	Nil	4	4	4	Nil	Nil	Nil
	Meghalaya Urban Dev.Agency, Raitong Building Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
48	<u>Metrology Department</u>							
	Sectt.Deptt.							
	Controller of	Nil	20	20	20	Nil	Nil	Nil

	Legal Metrology							
49	<u>Meghalaya Legislative Assembly</u>	Nil	22	22	22	Nil	Nil	Nil
50	<u>Shillong Bench Gauhati High Court</u>							

51	<u>Governor's Secretariat, Raj Bhavan, Shillong</u>	Nil	3	3	3	Nil	Nil	Nil
52	<u>Meghalaya State Information Commission</u>	Nil	6	6	6	Nil	Nil	Nil
Total:		6	1283	1289	1231	13	3	3

Table 7.2.2. below indicate year wise disposal of Requests during the last seven 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
2012	1289	1231	16

7.3. Disposal of First Appeals by the Departmental Appellate Authority (DAA):

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 2012, 118 number of appeals were preferred before the Departmental Appellate Authority (DAA) in the form of First Appeals under Section 19(1) of the Act. The disposal of the appeals by the Departmental Appellate Authorities is given in the Table 7.3.1 below:

7.3.1 Disposal of First Appeals by the Departmental Appellate Authorities **Reporting Year: 2012**

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	% of First Appeals Rejected	No. of First Appeals pending for more than 45 Days
1	2	3	4	5	6	7	8	9
1	<u>Agriculture</u>							
	Sectt.Deptt.							
	Dte.of Agri.	Nil	7	7	7	Nil	Nil	Nil
	Dte.of Hort	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	C.E. Irrigation							
	Megh. State Agricultural Marketing Board, Shillong	Nil	2	2	1	Nil	Nil	Nil
2	<u>Arts & Culture</u>							
	Sectt.Deptt.							
	Dte.of Arts & Culture	Nil	Nil	Nil	Nil	Nil	Nil	Nil
3	<u>A.H.&Vety.</u>							
	Sectt.Deptt.							
	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.							
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.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of C&RD	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, East Khasi Hills, Shillong	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, East Garo Hills, Williamnagar	Nil	5	5	4	Nil	Nil	Nil
	DRDA, West Garo Hills, Tura	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, Jaintia Hills, Jowai	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, West Khasi Hills, Nongstoin	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, Ri-Bhoi District, Nongpoh	Nil	Nil	Nil	Nil	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	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	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	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	GHADC							
11	<u>Education</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DHTE	1	2	3	2	Nil	Nil	1
	DERT	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DEME							
	MBOSE							
	DSEL	Nil	1	1	Nil	1	Nil	Nil
12	<u>Elections</u>							
	Sectt.Deptt.	Nil	1	1	1	Nil	Nil	Nil
	C.E.O.							
	DCs	Nil	5	5	5	Nil	Nil	Nil
13	<u>E.R.T.S.</u>							
	Sectt.Deptt.							
	Com.Tax	Nil	1	1	1	Nil	Nil	Nil
	Com.Excise	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Inspector General of Registration	Nil	2	2	2	Nil	Nil	Nil
	Superintendent of Stamps							
	Registrar of Societies							
	Dte.of Megh. State Lottery	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Commission of Resource Mobilization	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	District Registrar, Baghmara	Nil	Nil	Nil	Nil	Nil	Nil	Nil
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	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	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)	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	Deptt.							
	Finance (AF)	Nil	3	3	3	Nil	Nil	Nil
	Finance (PC)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
15	<u>Food & Civil Supplies</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Food & Civil Supplies	Nil	2	2	2	Nil	Nil	Nil
	Meghalaya State Consumer Disputes Redressal Commission	Nil	Nil	Nil	Nil	Nil	Nil	Nil
16	<u>Forest & Env.</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o PCCF	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o CCF (Social Forestry)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o(Research/Training & Wildlife)	Nil	1	1	1	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							
17	<u>Fisheries</u>							
	Sectt.Deptt.							
	Dte.of Fisheries	Nil	Nil	Nil	Nil	Nil	Nil	Nil
18	<u>G.A.D.</u>							
	Sectt.Deptt.							
	Office Estate Officer							
	Dte. of Sainik Welfare	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Zila Sainik Welfare							
	G.A.D. (B)							
	GAD (A)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
19	<u>Home (Police)</u>							
	Sectt.Deptt.	Nil	3	3	3	Nil	Nil	Nil
20	<u>Home Guards & Civil Defence</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte. Of Civil Defence & Home Guards							
21	<u>Home (Jails)</u>							
	Sectt.Deptt.							
	Director General of Prisons	Nil	6	6	6	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	1	1	1	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	Nil	Nil	Nil	Nil	Nil	Nil	Nil
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	Nil	Nil	Nil	Nil	Nil	Nil
	MCCL	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MKVIB	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Handloom	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MHHDC	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MBCL	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MEDC Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
26	<u>Information & Public Relations</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of I.P.R.							
27	<u>Information Technology</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
28	<u>Law (A)</u>							
	Sectt.Deptt.							
	Law (B)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
29	<u>Labour</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Employment & Craftsmen Training	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	O/o Administrative Medical Officer	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Commandant of Civil Task Force	Nil	Nil	Nil	Nil	Nil	Nil	Nil
30	<u>Mining & Geology</u>							
	Sectt.Dept	Nil	1	1	1	Nil	Nil	Nil

	Dte.of Mineral Resources	Nil	Nil	Nil	Nil	Nil	Nil	Nil
31	<u>Planning</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	P.I.D.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	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	<u>Personnel</u>							
	Personnel & A.R.(A)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Personnel & A.R. (B) & SRC							
	DC,EK Hills	Nil	14	14	14	Nil	Nil	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	2	2	2	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 East, West Khasi Hills, Jaintia Hills, Ribhoi District	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Personnel AR	Nil	Nil	Nil	Nil	Nil	Nil	Nil	

	(ARC) Deptt.							
	MATI	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC Mawkyrwat	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC Khliehriat	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC Resubelpara	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	DC Ampati	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner of Division Tura	Nil	Nil	Nil	Nil	Nil	Nil	Nil
33	<u>Political</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
34	<u>P.H.E.</u>							
	Sectt.Deptt.							
	Chief Engineer							
	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	6	6	6	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	2	2	2	Nil	Nil	Nil
	Megh. Govt. Construction Corporation Ltd.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	PWD (R)	Nil	Nil	Nil	Nil	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	Nil	Nil	Nil	Nil	Nil	Nil	Nil
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	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (R)	Nil	Nil	Nil	Nil	Nil	Nil	Nil
41	<u>Sports & Youth Affairs</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of S. Y.A.							
42	<u>Social Welfare</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Social Welfare	Nil	2	2	2	Nil	Nil	Nil
	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission for Women	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner for Person with Disabilities	Nil	1	1	1	Nil	Nil	Nil
43	<u>Soil & Water Conservation</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Soil & Water	Nil	25	25	25	Nil	Nil	Nil
44	<u>Sericulture & Weaving</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Sericulture	Nil	Nil	Nil	Nil	Nil	Nil	Nil
45	<u>Transport</u>							
	Sectt.Deptt.							
	Comnr.of Transport	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	M.T.C.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	D.T.O.s	Nil	20	20	20	Nil	Nil	Nil
	Secretary State Transport Authority	Nil	Nil	Nil	Nil	Nil	Nil	Nil
46	<u>Tourism</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Tourism	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	MTDC	Nil	Nil	Nil	Nil	Nil	Nil	Nil
47	<u>Urban Affairs</u>							
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Urban Affairs	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Shillong Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil
	Jowai Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil	Nil

	MUDA	Nil	1	1	1	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
	Meghalaya Urban Dev. Agency, Raitong Building Shillong	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	Nil	Nil	Nil	Nil	Nil	Nil
52	<u>Meghalaya State Information Commission</u>	Nil	Nil	Nil	Nil	Nil	Nil	Nil
Total:		1	117	118	114	1	Nil	1

Table 7.3.2 below indicates year wise disposal of First Appeals by the Departmental Appellate Authorities for the last seven years:-

Table 7.3.2

Year	Total No. of First Appeals	No. of First Appeals disposed	No. of First Appeals rejected
2006	21	20	1
2007	108	106	2
2008	23	23	Nil
2009	39	39	Nil
2010	42	36	6
2011	94	94	Nil
2012	118	117	1

7.4 Information Requests rejected by the PIO/Public Authorities:

Section 7 (1) empowers the Public Information Officer to reject the request for information for any of the reasons 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: 2012

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						
	Meghalaya State Agricultural Marketing Board, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
2	<u>Arts & Culture</u>						
	Sectt.Dept.						
	Dte.of Arts & Culture	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
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.						
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.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of C&RD	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, East Khasi Hills, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, East Garo	Nil	Nil	Nil	Nil	Nil	Nil

	Hills, Williamnagar						
	DRDA, West Garo Hills, Tura	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, Jaintia Hills, Jowai	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, West Khasi Hills, Nongstoin	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA, Ri-Bhoi District, Nongpoh	Nil	Nil	Nil	Nil	Nil	Nil
9	<u>Cooperation</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Registrar of Cooperative Societies	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Warehousing Corporation	Nil	Nil	Nil	Nil	Nil	Nil
	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	Nil	Nil	Nil	Nil	Nil	Nil
	GHADC						
11	<u>Education</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	DHTE	Nil	Nil	Nil	Nil	Nil	Nil
	DEPT	Nil	Nil	Nil	Nil	Nil	Nil
	DEME						
	MBOSE						
	DSEL	7	7	Nil	Nil	Nil	Nil
12	<u>Elections</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	C.E.O.						
	DCs	Nil	Nil	Nil	Nil	Nil	Nil
13	<u>E.R.T.S.</u>						
	Sectt.Deptt.						
	Com.Tax	Nil	Nil	Nil	Nil	Nil	Nil

	Com.Excise	Nil	Nil	Nil	Nil	Nil	Nil
	Inspector General of Registration	Nil	Nil	Nil	Nil	Nil	Nil
	Superintendent of Stamps						
	Registrar of Societies						
	Dte.of Megh. State Lottery	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Commission of Resource Mobilization	Nil	Nil	Nil	Nil	Nil	Nil
	District Registrar, Baghmara	Nil	Nil	Nil	Nil	Nil	Nil
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	Nil	Nil	Nil	Nil	Nil	Nil
	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
	Finance (AF)	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (PC)	Nil	Nil	Nil	Nil	Nil	Nil
15	<u>Food & Civil Supplies</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	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	Nil	Nil	Nil	Nil	Nil	Nil

	Forestry)						
	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						
17	<u>Fisheries</u>						
	Sectt.Deptt.						
	Dte.of Fisheries	Nil	Nil	Nil	Nil	Nil	Nil
18	<u>G.A.D.</u>						
	Sectt.Deptt.						
	Office Estate Officer						
	Dte. of Sainik Welfare	Nil	Nil	Nil	Nil	Nil	Nil
	Zila Sainik Welfare						
	GAD (B)						
	GAD (A)	Nil	Nil	Nil	Nil	Nil	Nil
19	<u>Home (Police)</u>						
	Sectt.Deptt.	8	4	4	Nil	Nil	Nil
20	<u>Home Guards & Civil Defence</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte. Of Civil Defence & Home Guards						
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	Nil	Nil	Nil	Nil	Nil	Nil
	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
	MEDC Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
26	<u>Information & Public Relations</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of I.P.R.						
27	<u>Information Technology</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
28	<u>Law (A)</u>						
	Sectt.Deptt.						
	Law (B)	Nil	Nil	Nil	Nil	Nil	Nil
29	<u>Labour</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Employment & Craftsmen Training	Nil	Nil	Nil	Nil	Nil	Nil
	O/o Administrative Medical Officer	Nil	Nil	Nil	Nil	Nil	Nil
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner	Nil	Nil	Nil	Nil	Nil	Nil
	Commandant of Civil Task Force	Nil	Nil	Nil	Nil	Nil	Nil
30	<u>Mining & Geology</u>						
	Sectt.Dept	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Mineral Resources	Nil	Nil	Nil	Nil	Nil	Nil
31	<u>Planning</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Programme Implementation & Evaluation Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte. of Programme Implementation & Evaluation Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Economics & Statistics	Nil	Nil	Nil	Nil	Nil	Nil
	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 & Employment Generation Council, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
32	Personnel						
	Personnel & A.R.(A)	Nil	Nil	Nil	Nil	Nil	Nil
	Personnel AR (B) & SRC						
	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.	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner of Divisions East, West Khasi Hills, Jaintia Hills, Ribhoi District	Nil	Nil	Nil	Nil	Nil	Nil
	Personnel AR (ARC) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	MATI	Nil	Nil	Nil	Nil	Nil	Nil
	DC Mawkyrwat	Nil	Nil	Nil	Nil	Nil	Nil
	DC Khliehriat	Nil	Nil	Nil	Nil	Nil	Nil
	DC Resubelpara	Nil	Nil	Nil	Nil	Nil	Nil
	DC Ampati	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner of Division Tura	Nil	Nil	Nil	Nil	Nil	Nil

33	<u>Political</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
34	<u>P.H.E.</u>						
	Sectt.Deptt.						
	Chief Engineer 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
	Megh. Govt. Construction Corporation Ltd. PWD (R)	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	Nil	Nil	Nil	Nil	Nil	Nil
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.	Nil	Nil	Nil	Nil	Nil	Nil

	Dte.of S. Y.A.						
42	<u>Social Welfare</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Social Welfare	Nil	Nil	Nil	Nil	Nil	Nil
	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission for Women	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner for Person with Disabilities	Nil	Nil	Nil	Nil	Nil	Nil
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.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Sericulture	Nil	Nil	Nil	Nil	Nil	Nil
45	<u>Transport</u>						
	Sectt.Deptt.						
	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
	Secretary, State Transport Authority	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.	Nil	Nil	Nil	Nil	Nil	Nil
	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 Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil
	Megh. Urban Dev. Agency, Raitong Building, Shillong	Nil	Nil	Nil	Nil	Nil	Nil

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>	Nil	Nil	Nil	Nil	Nil	Nil
Total:		15	11	4	Nil	Nil	Nil

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

A total amount of ₹ 72,197/- was collected by the PIOs/Public authorities in the form of fees and charges during the year 2012. Out of this an amount of ₹ 4,008/- was collected under Section 4(4) of the Act, being the cost of the printed materials in which form the information was provided. ₹ 10,488/- was the application fee collected under Section 6(1) of the Act. An amount of ₹43,073/- was collected under Section 7(1) being the cost of the photo copies made. An amount of ₹ 11,774/- was collected under section 7(5) being the cost of information provided in Electronic format. An amount of ₹2,854/- was the miscellaneous charges collected by the Public Information Officers and the Public Authorities.

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

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

Reporting Year: 2012

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	80	120	Nil	Nil	200
	Dte.of Hort	Nil	84	Nil	Nil	Nil	84
	C.E. Irrigation						
	Megh. State Agricultural Marketing Board, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
2	<u>Arts & Culture</u>						
	Sectt.Deptt.						
	Dte.of Arts & Culture	Nil	Nil	Nil	Nil	Nil	Nil
3	<u>A.H.&Vety.</u>						
	Sectt.Deptt.						
	Dte.of A.H.&Vety	Nil	Nil	80	915	Nil	995
4	<u>Border Areas Dev.</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of BAD	Nil	100	1306	Nil	Nil	1406
5	<u>C.M.Secretariat</u>						
	Sectt.Deptt.						
6	<u>Cabinet Affairs</u>						
	Sectt.Deptt.	Nil	20	32	Nil	Nil	52
7	<u>Communication</u>						
	Sectt.Dept	Nil	Nil	Nil	Nil	Nil	Nil
8	<u>C&RD</u>						
	Sectt.Deptt.	Nil	30	10	Nil	Nil	40
	Dte.of C&RD	Nil	10	10	Nil	Nil	20
	DRDA, East Khasi Hills, Shillong	Nil	540	9682	Nil	Nil	10222
	DRDA, East Garo Hills, Williamnagar	Nil	50	495	Nil	Nil	545
	DRDA, West Garo Hills, Tura	Nil	50	Nil	439	Nil	489

	DRDA, Jaintia Hills, Jowai	Nil	Nil	Nil	Nil	Nil	Nil
	DRDA. West Khasi Hills, Nongstoin	Nil	20	Nil	Nil	Nil	20
	DRDA, Ri-Bhoi District, Nongpoh	Nil	80	5886	Nil	Nil	5966
9	<u>Cooperation</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Registrar of Cooperative Societies	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya State Warehousing Corporation	Nil	Nil	Nil	Nil	Nil	Nil
	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	30	Nil	Nil	Nil	30
	Cooperative Federation Ltd.						
10	<u>District Council Affairs</u>						
	Sectt.Deptt.	Nil	30	Nil	Nil	Nil	30
	KHADC						
	JHADC	Nil	220	904	2135	Nil	3259
	GHADC						
11	<u>Education</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	DHTE	Nil	90	508	Nil	Nil	598
	DEPT	Nil	Nil	Nil	Nil	Nil	Nil
	DEME						
	MBOSE						
	DSEL	Nil	170	Nil	Nil	Nil	170
12	<u>Elections</u>						
	Sectt.Deptt.	Nil	100	60	Nil	Nil	160
	C.E.O.						
	DCs	Nil	90	3612	Nil	Nil	3702
13	<u>E.R.T.S.</u>						
	Sectt.Deptt.						
	Com.Tax	Nil	150	1052	Nil	Nil	1202
	Com.Excise	Nil	10	46	Nil	Nil	56
	Inspector General of Registration	Nil	30	24	Nil	Nil	54

	Superintendent of Stamps						
	Registrar of Societies						
	Dte.of Megh. State Lottery	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Commission of Resource Mobilization	Nil	Nil	Nil	Nil	Nil	Nil
	District Registrar, Baghmara	Nil	Nil	Nil	Nil	Nil	Nil
14	Finance						
	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	Nil	Nil	Nil	Nil	Nil	Nil
	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
	Finance (AF)	Nil	Nil	Nil	Nil	Nil	Nil
	Finance (PC)	Nil	Nil	Nil	Nil	Nil	Nil
15	Food & Civil Supplies						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Food & Civil Supplies	552	140	Nil	Nil	182	874
	Meghalaya State Consumer Disputes Redressal Commission	Nil	Nil	Nil	Nil	Nil	Nil
16	Forest & Env.						
	Sectt.Deptt.	Nil	50	1360	Nil	Nil	1410
	O/o PCCF	Nil	180	792	Nil	Nil	972
	O/o CCF (Social Forestry)	30	322	Nil	Nil	Nil	352
	O/o(Research/Training & Wildlife)	Nil	10	40	Nil	Nil	50
	O/o CCF	Nil	100	166	Nil	Nil	266

	(Territorial)						
	O/o CF (WL) Meghalaya Shillong	Nil	30	Nil	Nil	Nil	30
	O/o CF (WL) Tura						
17	<u>Fisheries</u>						
	Sectt.Deptt.						
	Dte.of Fisheries	10	20	30	Nil	Nil	60
18	<u>G.A.D.</u>						
	Sectt.Deptt.						
	Office Estate Officer						
	Dte. of Sainik Welfare	Nil	Nil	Nil	Nil	Nil	Nil
	Zila Sainik Welfare						
	G.A.D. (B)						
	GAD (A)	Nil	20	Nil	36	Nil	56
19	<u>Home (Police)</u>						
	Sectt.Deptt.	242	790	Nil	28	Nil	1060
20	<u>Home Guards & Civil Defence</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte. Of Civil Defence & Home Guards						
21	<u>Home (Jails)</u>						
	Sectt.Deptt.						
	Director General of Prisons	Nil	60	Nil	Nil	Nil	60
22	<u>Home (Passport)</u>						
	Sectt.Deptt.	Nil	10	Nil	Nil	Nil	10
23	<u>Health & F.W.</u>						
	Sectt.Deptt.	Nil	160	Nil	536	Nil	696
	DHS (MI)	Nil	120	Nil	822	Nil	942
	DHS (MCH)	Nil	100	Nil	2604	Nil	2704
	DHS (R)	Nil	Nil	Nil	Nil	Nil	Nil
24	<u>Housing</u>						
	Sectt.Deptt.						
	Dte.of Housing Meghalaya State Housing Board	Nil	Nil	816	Nil	Nil	816
25	<u>Industries</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Commerce Industries	Nil	160	304	Nil	Nil	464
	MIDC	Nil	Nil	Nil	Nil	Nil	Nil
	MCCL						
	MKVIB	Nil	Nil	Nil	Nil	Nil	Nil
	Meghalaya Handloom						

	MHHDC	Nil	Nil	Nil	Nil	Nil	Nil
	MBCL	Nil	Nil	Nil	Nil	Nil	Nil
	MEDC Ltd.	Nil	Nil	Nil	Nil	Nil	Nil
26	<u>Information & Public Relations</u>						
	Sectt.Deptt.	Nil	10	Nil	Nil	Nil	10
	Dte.of I.P.R.						
27	<u>Information Technology</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
28	<u>Law (A)</u>						
	Sectt.Deptt.						
	Law (B)	Nil	80	3122	Nil	Nil	3202
29	<u>Labour</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Employment & Craftsmen Training	Nil	20	Nil	Nil	Nil	20
	O/o Administrative Medical Officer	Nil	Nil	Nil	Nil	Nil	Nil
	Chief Inspector of Boilers	Nil	Nil	Nil	Nil	Nil	Nil
	Labour Commissioner	Nil	Nil	Nil	Nil	Nil	Nil
	Commandant of Civil Task Force	Nil	Nil	Nil	Nil	Nil	Nil
30	<u>Mining & Geology</u>						
	Sectt.Dept	Nil	100	Nil	Nil	Nil	100
	Dte.of Mineral Resources	Nil	90	Nil	Nil	Nil	90
31	<u>Planning</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Programme Implementation & Evaluation Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte. of Programme Implementation & Evaluation Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Economics & Statistics	Nil	60	111	Nil	Nil	171
	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	45	Nil	Nil	Nil	Nil	45
	Meghalaya Resource & Employment Generation Council, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
32	<u>Personnel</u>						
	Personnel & A.R.(A)	Nil	40	12	Nil	Nil	52
	Personnel & A.R. (B) & SRC						
	DC,EK Hills	180	434	3902	Nil	1984	6500
	DC, Ribhoi District	Nil	350	612	Nil	Nil	962
	DC, Jaintia Hills	Nil	50	234	Nil	Nil	284
	DC, West Khasi Hills	Nil	130	808	Nil	Nil	938
	DC, West Garo Hills, Tura	20	864	210	439	Nil	1533
	DC, East Garo Hills	Nil	30	18	Nil	Nil	48
	DC, South Garo Hills	Nil	Nil	Nil	Nil	Nil	Nil
	M.P.S.C.	Nil	Nil	Nil	280	432	712
	Commissioner of Divisions of East, West Khasi Hills, Jaintia Hills, Ribhoi District	Nil	Nil	Nil	Nil	Nil	Nil
	Personnel AR (ARC) Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	MATI	Nil	Nil	Nil	Nil	Nil	Nil
	DC Mawkyrwat	Nil	Nil	Nil	Nil	Nil	Nil
	DC Khliehriat	Nil	Nil	Nil	Nil	Nil	Nil
	DC Resubelpara	Nil	Nil	Nil	Nil	Nil	Nil
	DC Ampati	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner of Division Tura	Nil	Nil	Nil	Nil	Nil	Nil
33	<u>Political</u>						

	Sectt.Deptt.	Nil	50	Nil	524	Nil	574
34	<u>P.H.E.</u>						
	Sectt.Deptt.						
	Chief Engineer						
	Pollution Control Board	55	140	Nil	Nil	Nil	195
35	<u>Power</u>						
	Sectt.Deptt.	Nil	40	Nil	442	Nil	482
	M.E.C. Ltd.	Nil	90	Nil	508	Nil	598
	MSERC	Nil	Nil	Nil	Nil	Nil	Nil
	MNREDA	Nil	10	10	10	Nil	30
	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	20	20	20	20	20	100
37	<u>P.W.D.</u>						
	Sectt.Deptt.	Nil	60	Nil	Nil	Nil	60
	C.E.PWD(R&B)	Nil	10	Nil	Nil	Nil	10
	C.E.PWD (NH)						
	C.E.PWD (B)	Nil	20	Nil	Nil	Nil	20
	Megh. Govt. Construction Corporation Ltd.	Nil	10	Nil	Nil	Nil	10
38	<u>Parliamentary Affairs</u>						
	Sectt.Deptt.	172	10	Nil	Nil	Nil	182
39	<u>Revenue & Disaster Management</u>						
	Sectt.Deptt.	Nil	2584	Nil	Nil	Nil	2584
	Meghalaya Board of Revenue	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.Land Records & Survey	10	Nil	Nil	Nil	Nil	10
40	<u>SAD</u>						
	SAD (A)	20	Nil	Nil	Nil	Nil	20
	SAD (E)	342	Nil	Nil	Nil	Nil	342
	SAD (N)	Nil	Nil	Nil	Nil	Nil	Nil
	SAD (R)	Nil	Nil	Nil	Nil	Nil	Nil
41	<u>Sports & Youth Affairs</u>						
	Sectt.Deptt.	Nil	20	Nil	6	Nil	26
	Dte.of S.Y.A.						

42	<u>Social Welfare</u>						
	Sectt.Deptt.	Nil	70	726	Nil	Nil	796
	Dte.of Social Welfare	Nil	150	1486	Nil	114	1750
	State Social Welfare Board	Nil	Nil	Nil	Nil	Nil	Nil
	State Commission for Women	Nil	Nil	Nil	Nil	Nil	Nil
	Commissioner for Person with Disabilities	Nil	10	Nil	Nil	Nil	10
43	<u>Soil & Water Conservation</u>						
	Sectt.Deptt.	Nil	10	Nil	Nil	Nil	10
	Dte.of Soil & Water	Nil	210	3284	Nil	Nil	3494
44	<u>Sericulture & Weaving</u>						
	Sectt.Deptt.	Nil	Nil	Nil	Nil	Nil	Nil
	Dte.of Sericulture	Nil	30	Nil	Nil	Nil	30
45	<u>Transport</u>						
	Sectt.Deptt.						
	Comnr.of Transport	Nil	30	Nil	Nil	Nil	30
	M.T.C.	Nil	Nil	Nil	Nil	Nil	Nil
	D.T.O.	530	20	Nil	Nil	80	630
	Secretary, State Transport Authority, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
46	<u>Tourism</u>						
	Sectt.Deptt.	10	Nil	Nil	Nil	Nil	10
	Dte.of Tourism	Nil	30	Nil	Nil	42	72
	MTDC	Nil	20	Nil	Nil	Nil	20
47	<u>Urban Affairs</u>						
	Sectt.Deptt.	Nil	90	1100	Nil	Nil	1190
	Dte.of Urban Affairs	Nil	60	Nil	1940	Nil	2000
	Shillong Municipal Board	Nil	Nil	Nil	90	Nil	90
	Jowai Municipal Board	Nil	Nil	Nil	Nil	Nil	Nil
	MUDA	Nil	20	25	Nil	Nil	45
	Tura Municipal Board	50	10	Nil	Nil	Nil	60
	Williamnagar Municipal Board	1472	Nil	Nil	Nil	Nil	1472
Resubelpara Municipal Board	208	40	Nil	Nil	Nil	248	

	Megh. Urban Dev. Agency, Raitong Building, Shillong	Nil	Nil	Nil	Nil	Nil	Nil
48	<u>Metrology Department</u>						
	Sectt.Deptt. Controller of Legal Metrology	Nil	50	58	Nil	Nil	108
49	<u>Meghalaya Legislative Assembly</u>	40	Nil	Nil	Nil	IPO	40
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>	Nil	60	Nil	Nil	Nil	60
Total:		4008	10488	43073	11774	2854	72197

7.6 As mentioned in the preceding pages, of this chapter the data presented in Tables 7.2.1, 7.3.1 and 7.4.1 may not reflect the complete 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 2012.

Sl.No.	Name of the Department	Name of the Public authority
1	Agriculture	Sectt. Deptt.
		C.E. Irrigation
2	Arts & Culture	Sectt. Deptt.
3	A.H. & Vety.	Sectt. Deptt.
4	C.M. Secretariat	Sectt. Deptt.
5	Cooperation	Cooperative Federation Ltd.
6	District Council Affairs	KHADC
		GHADC
7	Education	DEME
		MBOSE

8	E.R.T.S.	Sectt. Deptt.
		Superintendent of Stamps
		Registrar of Societies
9	Finance	Sectt. Deptt.
		Dte. of Accounts & Treasuries
10	Forest & Env.	O/o CF (WL) Tura
11	Fisheries	Sectt. Deptt.
12	G.A.D.	Sectt. Deptt.
		Office Estate Officer
		Zila Sainik Welfare
		G.A.D. (B)
13	Home Guards & Civil Defence	Dte. of Civil Defence & Home Guards
14	Home (Jails)	Sectt. Deptt.
15	Housing	Sectt. Deptt.
		Meghalaya State Housing Board
16	Industries	Meghalaya Handloom
17	Information & Public Relations	Dte. of I.P.R.
18	Law (A)	Sectt. Deptt.
19	P.H.E.	Sectt. Deptt.
		Chief Engineer
20	Sports & Youth Affairs	Dte. of S.Y.A.
21	Transport	Sectt. Deptt.
22	Metrology Deptt.	Sectt. Deptt.
23	Shillong Bench Gauhati High Court	

Chapter – 8

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

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: 2012

Sl. No	Name of Departments Public Authorities	Key Initiatives undertaken during the Year
1	2	3
1	<u>Agriculture</u>	
	Dte.of Agri.	Computerization of all records has been improved as far as possible. 1. All programme and activities of each development Schemes has been strictly followed with a review programme in every month during the staff meeting. 2. Achievement Reports both Physical & Financial was kept in record in hard and soft copy which can be produce as & when required. 3. Awareness programme on RTI Act has also been included as part in the programme during the farmers training programme conducted in the District as to make people aware of.
	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>	
	Sectt.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 has been duly displayed for public information through media networks and Notice Boards in Offices.
3	<u>C&RD</u>	
	DRDA, East Khasi Hills, Shillong	Record management
	DRDA, East Garo Hills, Williamnagar	Applicants applied by giving fees asking informations and relevant informations gien within 30 days.
	DRDA, West	Uploaded in the State Website/Networking

	Garo Hills, Tura	
4	<u>Cooperation</u>	
	Meghalaya State Warehousing Corporation	1. Proper Record Management process is in place. 2. Accounts etc. are computerized.
	Meghalaya Apex Handloom Weavers & Handicrafts	We have maintained records of all activities performed during the year 2012-13.
5	<u>Education</u>	
	DERT	Three requests for information were received by the Directorate and action already taken. The Directorate had requested MATI to conduct the training for PIOs & APIOs of DERT & MATI had conducted the training on 18 th & 19 th April, 2012.
	DHTE	The School website is being setup with NIC to disseminate all relevant information to the public. Record management of staff, admission, attendance, exams, results, fees, Board/Universities, registration etc. Computerization of staff details, admissions, exams, attendance, fees, results, scholarships, leaves etc. Manual record management.
6	<u>Elections</u>	
	DCs	1. As per the scheduled of summary revision received from Election Commissions of India forms 6,7,8,8 A filed are very 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 & soft copy of Electoral Roll (Photo & Normal) are being maintained in respect of revision programme as announced by Election Commission of India. 5. Till date no voters apply for RTI or others.
7	<u>Finance</u>	
	Dte.of Local Accounts	Does not arise, since the request/application was received from any person during the year 2012 for information under the RTI Act, 2005.
8	<u>Food & Civil Supplies</u>	
	Dte.of Food & Civil Supplies	Disposed off in time
9	<u>Forest & Env.</u>	
	O/o CCF (Social Forestry)	Required information had been prepared but the information seekers not yet collected till date. Prompt disposal of RTI application. Various records have been maintained in the office Computerization of information done. Designation has been done for implementation of RTI Act.
10	<u>Home Guards & Civil Defence</u>	
	Sectt.Deptt.	Strict instruction has been issued to all concerned branches unit to furnish required information before the date fix. All out effects is being made to implement Right to Information Act.2005 in proper manner. Request/Appeal seeking any information if any on the records concerning our office/Department will be provided to the applicant expeditiously.

11	<u>Health & F.W.</u>	
	Sectt.Deptt.	Computerization & networking relating to RTI has not been done, yet records are maintained manually.
	DHS (MI)	Record management is done manually so as to meet the queries accordingly; Computerization, Networking relating to RTI has not yet been done so far.
12	<u>Housing</u>	
	Dte.of Housing	RTI application received from Miss Aidahun Avegale Syiem, C/o Jennyfer Syiem, Dimsuniong, Laitumkhrah, P.O. Assam Rifles, Shillong-793011, Meghalaya on 26.10.2012.
13	<u>Industries</u>	
	MKVIB	Since there is no cases appeal. Key initiatives undertaken not arise.
14	<u>Labour</u>	
	Labour Commissioner	Record Management
	Commandant of Civil Task Force	This Directorate/Office has already procured a computer and printer and this will help in providing informations of any matter required by the public.
15	<u>Planning</u>	
	Sectt.Deptt.	All information are updated & maintained every year.
	Dte.of Economics & Statistics	The Directorate including its District Offices is trying to update all latest information through its various publications released every year. Computers are also supplied to all District Offices for smooth & quick updating of official records.
16	<u>Personnel</u>	
	DC,EK Hills	Received RTI application from Shri Phaibor Nongrang Wahrahan Village, Mawphlang Lyngdohship, E.K. Hills District seeking information about the distribution of C.G.I. sheet in C&RD Mawphlang C&RD Block for the year 2008-2011. Information furnished. Application of Smti Angela Rangad addressed to the PIO Revenue Deptt. Govt. of Meghalaya & the same was forwarded to the office for taking necessary steps vide Govt. letter RDS.6/2013/3 dated 24.1.13.
	DC, West Khasi Hills	Supplied by Xerox copy. All records (list of beneficiaries) are being kept at D.C. W.K.Hills website "West Khasi Hills.Gov.in". Document supplied by Xeroxing.
17	<u>Power</u>	
	Sectt.Deptt.	Through File
	M.E.C. Ltd.	The information was provided to be applicant from the available record of the Public Authority the same was not uploaded in the net.
	MNREDA	Through File
18	<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 Deptt. website for public awareness.
		2. Computerization of ministerial branch almost complete. 3. Expansion of SWAN & installation of I.P. Phone
19	<u>P.W.D.</u>	
	Sectt.Deptt.	Maintenance of RTI Register for quick disposal of information.
	C.E.PWD(R&B)	Maintenance of RTI Register for quick disposal of information.

	C.E.PWD (NH)	
	C.E.PWD (B)	Manual records and management as usual. Computerization & networking not yet taken as the purchased of computers not yet sanctioned. For computerization and networking system is being taken initiated.
	Megh.Govt. Construction Corporation Ltd.	Manual for the year 2012 yet to be published.
20	<u>Revenue & Disaster Management</u>	
	Dte.Land Records & Survey	Land Records management
21	<u>Social Welfare</u>	
	Sectt. Deptt.	Record of RTI requests received and disposed is maintained in Register.
	Dte.of Social Welfare	For record of requests received and disposed is being maintained in the Registers. Updating RTI manuals under section 4 (b) of the RTI Act on Govt. websites during 11.9.2012 vide letter No.DSWO(N)MISC-24/Pt.1/2010/396 dated 11.9.2012.
22	<u>Soil & Water Conservation</u>	
	Dte.of Soil & Water	Web pages are included the website of Soil & Water Conservation Deptt. under the RTI Act, 2005 (Act No.22 of 2005 (chapter-II))
23	<u>Sericulture & Weaving</u>	
	Dte.of Sericulture	The different programme taken by the deptt. were floated through NIC Local Newspaper & recorded through the website of NIC as well as attended the exhibitions inside & outside the State.
24	<u>Tourism</u>	
	MTDC	Action in hand
25	<u>Urban Affairs</u>	
	Jowai Municipal Board	Records managed through Register files etc.
	Tura Municipal Board	Nothing in particular to report

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 have hard copies of the updated manuals under section 4 (1)(b) of the R.T.I. Act, for reference and also place it 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 the Govt. may ensure that all the Public Authorities under it take necessary action in updating the information from time to time.

Training of PIOs/APIOs

Since the officials identified as PIOs/APIOs keep changing from time to time, during the process of posting and transfer of officials, Govt. Departments should take serious view of the training facilities offered by M.A.T.I. in their own interest. The Nodal Department on R.T.I. should take up with all the Departments to ensure good response of public authorities on training facilities offered.

Recommendation made in the previous Reports:

The Commission in its previous Reports had made some Recommendations requesting the Government to examine and take necessary action on certain issues. However, the Commission observed that some Recommendations are yet to be examined by the Government. It would therefore be in the fitness of things, if the Government examines these Recommendations and take necessary steps as deemed fit and proper.

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).