

13th Annual Report

(January – December 2018)

**Meghalaya State Information Commission
New Administrative Building
Lower Lachaumiere
Shillong – 793 001**

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Chapter I

Introduction

The right to know, one of the critical ingredients of a true democracy, is absolutely essential for the effective exercise of the right of expression. This right is embedded in the Constitution of India under Article 19 (1) (a), 'Right to freedom of speech and expression' and Article 21, 'Right to life'. In order to facilitate citizens' access to information held by Public Authorities, the Right to Information Act, 2005 was enacted by the Parliament.

The objective of the Act is to promote transparency and accountability in the working of every Public Authority by giving citizens the right to seek whatever unrestricted information they desire to obtain. The Act strikes a fine balance between what information ought to be given to the seeker and what ought to be held back. Accordingly, a set of exemptions is listed out under sections 8 and agencies/bodies not required to give information are listed under section 24. However, matters pertaining to corruption and violation of human rights are not exempted.

Informed citizenry is an essential requirement for an effective participatory democracy. Effective participation is possible only when a citizen has access to relevant information, especially that information which is held by various organs of the Government. The right of expression can be effectively exercised only when the right to know is safe guarded. The Right to Information Act has emerged as one of the most effective tools for the existence and growth of a vibrant democracy.

A three tier mechanism for disposal of applications and complaints is prescribed by the Act. The Public Information Officer (PIO) at the first level who is responsible for providing the requested information, the First Appellate Authority (FAA) at the second level for deciding the first appeal and the State Information Commission at the third level for deciding and giving appropriate direction to the FAA / PIO of a Public Authority concerned as and when a second appeal or complaint is filed.

During the last *thirteen years*, it is seen that implementation of the Act has been marching forward in ensuring transparency and accountability particularly in Government Departments. And the number of applications received with effect from 2006 to 2018 is on the rise each successive year.

The Table below shows the *year-wise disposal of Complaints* by the Commission during the last 13 years

Year	No. of Complaints received	No. of Complaints disposed	No. of Complaints rejected	Remarks
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	-	4 nos. carried over
2013	32	32	-	
2014	27	25	-	2 nos. carried over
2015	51	51	-	
2016	40	40	-	
2017	37	37	-	
2018	15	15	-	

The Table below shows the *year wise disposal of Second Appeals* by the Commission during the last 13 years

Year	Total no. of Appeals	No. of Appeals disposed	No. of Appeals rejected	Remarks
2006	6	6	0	
2007	18	18	0	
2008	23	20	0	
2009	37	34	0	3 nos. carried over
2010	17	14	1	2 nos. carried over
2011	13	8	5	
2012	8	4		4 nos. carried over
2013	17	15		2 nos. carried over
2014	14	13		1 no. carried over
2015	15	15	0	
2016	11	11	0	
2017	12	12	0	
2018	4	4	0	

This Annual Report has been prepared in accordance with sections 25(1) & 25(2). It shall be laid before the State Legislature by the State Government as soon as practicable in accordance with the provision of section 25(4).

In this report, we have reflected the total number of requests made and disposed of by the Public Information Officers (PIOs), the fees collected, the number of appeals preferred by the appellants (aggrieved with the decision of the Departmental Appellate Authority) and other relevant matters. The total number of complaints filed by those information seekers who failed to get any response from the PIOs or their applications rejected is also indicated. Some of the important decisions passed by the Commission are incorporated in the report for the benefit of the PIOs and other functionaries dealing with RTI matters. While preparing the report, an attempt has been made to focus on those items required most under various sections of the Act.

The Act empowers citizens to get access to information under the control of the Public Authorities but it also protects them from unscrupulous individuals who seek to misuse the Act by seeking frivolous information which merely serve to harass PIOs or in other cases some applicants use the Act to obtain information to settle personal scores. The RTI Act has served to unearth valuable information achieving great transparency in the functions of Public Authorities. It has considerably helped genuine information seekers who would have otherwise been deprived of their rights. The RTI Act is one of the simplest laws of the Country and the key to its success lies in its simplicity. It assists the genuine information seeker while protecting the bonafide interests of Public Authorities.

The Commission has spared no efforts to redress genuine grievances but much still has to be done to educate Public Authorities as well as citizens so that the intentions of this law are achieved and transparency in the public arena increases.

Some of the important decisions and orders of the Commissions have been incorporated in this report.

Implementation of *the Right to Information Act 2005* during the year 2018 in the State was by and large smooth.

The Meghalaya State Information Commission is pleased to present to the State Government of Meghalaya this **13th Annual Report** for the period from *1st January 2018 to 31st December 2018*.

Chapter 2

Powers and functions of the Meghalaya State Information Commission

- 2.1. The Meghalaya State Information Commission was constituted vide *Notification No. IPR 48/2005/Pt.11/10 dated 3rd October, 2005* read with *Notification No. IPR 48/2005/52/11 dated 7th October, 2005* with its headquarters at Shillong. The present incumbent, Shri P.B.O. Warjri IAS (Rtd.) assumed charge as Chief Information Commissioner on 4th August, 2016.

The Commission derives its powers and functions from the provisions of *The Right to Information Act, 2005*. Section 15 (4) 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 Act also prescribes that the State Government shall provide the State Chief Information Commissioner with such officers and staff 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	No. of posts sanctioned	No. of posts filled
1.	State Chief Information Commissioner (SCIC)	1	1
2.	Secretary	1	1 (by deputation)
3.	Under / Deputy Secretary	1	1 (by deputation)
4.	Senior PS to the CIC	1	1 (by deputation)
5.	Superintendent	1	1 (by deputation)
6.	UDA	2	2 (by deputation)
7.	PA to the CIC	1	1 (by deputation)
8.	LDA	1	1 (by deputation)
9.	Data Entry Operator	1	1
10.	Driver	2	2
11.	Process Server	1	1
12.	Peons	3	3
13.	Chowkidar	1	1

- 2.2.** The Commission has no office building of its own. Presently it functions from the temporary accommodation allotted by the State Government on the first floor of the Administrative building located at Lower Lachauchiere, Shillong.

The present *official address* of the Commission is :

Meghalaya State Information Commission
New Administrative Building
Lower Lachauchiere
East Khasi Hills District
Shillong – 793001

Phone No – (0364) 2500179

Website: www.megsic.gov.in

2.3. Nodal Department

The Personnel & Administrative Reforms Department is the nodal department for the Commission. All matters, administrative and financial are taken up and routed through the nodal department. The Annual Report prepared by the Commission is sent through the nodal department for laying it before the Meghalaya Legislative Assembly as soon as practicable.

2.4. Duties

The Commission functions as a statutory 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 provisions of *The Right to Information Act, 2005* read with *The Meghalaya Right to Information Rules 2005*.

2.5. Powers and duties of the 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 FAA under the RTI Act
3.	Deputy / 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 PIO under the RTI Act.
4.	Senior PS to the SCIC	Secretarial assistance and any other works assigned by the State Chief Information Commissioner
5.	Superintendent	General superintendence and discipline of office work, to provide assistance to the Secretary
6.	UDA/LDA	To provide secretarial assistance to the Superintendent
7.	Computer Assistant	To operate and provide computer assistance
8.	Grade IV & Drivers	To perform duties as assigned to them by the Secretary in routine course

2.6. Name, designation and particulars of the Information Officers

Sl. No.	Name of Public Authority	Name & Designation etc. of the Designated Appellate Authority	Name & designation of the PIO
1.	Meghalaya State Information Commission	Shri Wilfred Nongsiej Secretary, Meghalaya State Information Commission Phone – 2500179 (Office) Address : Lower Lachaumiere East Khasi Hills District Shillong - 793 001 Meghalaya	Smti. D. Dkhar, Deputy Secretary, Meghalaya State Information Commission Phone – 2500179 (O) Address : Lower Lachaumiere East Khasi Hills District Shillong – 793 001 Meghalaya

2.7. Budget & Accounts of the Commission

The budget for the Commission is published in the *Annual Budget Book* of the Government of Meghalaya under *Grant No: 13*, 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 2018-2019 the budget and actual expenditure is as indicated below :

Detailed Head	Budget Head description “2251-Secretariat Social Services- State Schemes 090-Secretariat (12) Meghalaya Information Commission (RTI Act)- General Area “	(In Rupees)		Balance
		Budget Provision for 2018 - 2019	Expenditure up to 31/03/2019	
01	Salaries	1,70,00,000.00	90,44,602.00	79,55,398.00
02	Wages	8,00,000.00	7,97,976.00	2,024.00
06	Medical Treatment	5,00,000.00	6,16,356.00	0
11	Domestic Travel Expenses	7,00,000.00	2,80,942.00	4,19,058.00
13	Office Expenses	8,00,000.00	3,39,098.00	4,60,902.00
16	Publications	6,00,000.00	1,00,000.00	5,00,000.00
21	Supplies & Materials	5,00,000.00	1,84,789.00	3,15,211.00
26	Advertising & Publicity	5,00,000.00	0	5,00,000.00
28	Professional Services	2,00,000.00	0	2,00,000.00
50	Other Charges	5,00,000.00	1,16,356.00	3,83,644.00
51	Motor Vehicles	30,00,000.00	52,339.00	29,47,661.00
52	Machinery & Equipment	10,00,000.00	0	10,00,000.00
Total		2,61,00,000.00	1,15,32,458.00	1,46,83,898.00
(13) Strengthening Capacity building and Awareness Generation for the Effectiveness Implementation of RTI Act		5,00,000.00	5,00,000.00	

2.8. Activities undertaken by the Commission during the year

- (i) The main functions of the Commission are to *hear appeals* and to *enquire into the complaints* filed by the aggrieved parties. During the year, the Commission received 15 Complaints and 4 Appeals. All the 19 cases were disposed of. The

details of receipt and disposal of Complaints and Appeals are given in Chapter 3 and Chapter 4 respectively.

- (ii) Preparation and publication of the *Thirteenth Annual Performance Report* of the Commission.
- (iii) During the year, under the aegis of the Central Information Commission, Sub-divisional level workshops and awareness programmes on implementation of the Act were organized by the respective Civil Sub-Divisional Officers.

These programmes were organized at the Sub-Divisional Head Quarters namely,

1. Dadenggre Civil Sub-Division
2. Rongram Civil Sub-Division
3. Chokpot Civil Sub-Division
4. Sohra Civil Sub-Division
5. Mairang Civil Sub-Division
6. Amlarem Civil Sub-Division
7. Pynursla Civil Sub-Division
8. Mawshynrut Civil Sub-Division.

Chapter 3

Disposal of Complaints by the State Information Commission

3.1. Section 18(1) 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 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 complaints 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 2018, a total of 15 complaints were received by the Commission and all the 15 cases were disposed off. The department-wise break up is as given in Table 3.1.1 below.

Table 3.1.1

Department wise receipt and disposal of complaints by the Commission during 2018

Sl. No.	Name of Department / Public Authority	No. of Complaints pending with Information Commission at the end of Last Year	No. of Complaints preferred during the year	No. of Complaints disposed and acted upon	No. of Complaints Disposed and Rejected
(1)	(2)	(3)	(4)	(5)	(6)
1	Directorate of Border Areas, Shillong	0	1	1	0
2	Education Department	0	6	6	0
3	C & RD Department	0	1	1	0
4	PWD (NH)	0	1	1	0
5	Sports	0	1	1	0
6	Deputy Commissioner, West Khasi Hills	0	1	1	0
7	Directorate of A.H. & Veterinary	0	1	1	0
8	Directorate of Housing	0	1	1	0
9	Directorate of Horticulture	0	1	1	0
10	Mahatma Gandhi University	0	1	1	0
	Total	0	15	15	0

Table 3.1.2**Details of the complaints disposed off by the Commission during 2018**

Sl. No.	Case No.	Name of Complainant	Name of PIO/Public Authority
1.	MIC/ Complaint/56/2017/6 Dated 9-1-2018 (Recd 29-11-2017)	Shri Ebrayan Nongmin, Nongkulang, B.P.O. Borsora, South West Khasi Hills. Mobile – 8259025831	Shri S.Mawlong & PIO O/o the Border Areas Development Officer, South West Khasi Hills, Ranikor
2.	MIC/ Complaint/40/2017/12 Dated 9-1-2018 (Recd 4-9- 2017)	Mr Wantestar Marwein, General Secretary, Hynniewtrep Youth Council, Nongspung Circle	Shri Wanbok Rani, PIO & Principal, Nongspung Higher Secondary School, Nongspung, East Khasi Hills
3	MIC/ Complaint/40/2017/12 Dated 9-1-2018 (Recd 5-9- 2017)	Mr Wantestar Marwein, General Secretary, Hynniewtrep Youth Council, Nongspung Circle	Shri Wanbok Rani, PIO & Principal, Nongspung Higher Secondary School, Nongspung, East Khasi Hills
4	MIC/ Complaint/55/2017/12 Dated 4-4-2018 (Recd 17-12- 2017)	Shri Ebrayan Nongmin, Nongkulang, P.O. Borsora, South West Khasi Hills. Mobile – 8259025831	(1) FAA & Deputy Commissioner, Mawkyrwat (2) The PIO, O/o the Block Development Officer, Ranikor C&RD Block South West Khasi Hills
5	MIC/Complaint/42/2017 Dated 28-5-2018 (Recd 11-9- 2017)	Shri Jintu Ch Marak, President, Federation for A.chik Freedom, Williamnagar, East Garo Hills, Meghalaya	Dr. Paritosh Chakravarty, PIO & Principal, Williamnagar Govt. College, East Garo Hills
6	MIC/Complaint/10/2018/11 Dated 26-6-2018 (Recd 1-5- 2018)	Shri Arnold G.Momin, Govt., Quarter No. 5 Behind Kench's trace Police Beat House, Rilbong, Shillong – 04	Shri W.R.Lyngdoh, P I O & Executive Engineer, Public Works Department (National Highway), Meghalaya, Shillong
7	MIC/Complaint/11/2018/11 Dated 26-6-2018 (Recd 27-4- 2018)	Shri D.M.Pariat, Secretary, Shillong Recreation Ground Trust, SRGT Parking Lot, Polo, Shillong – 01	Shri J.Lakiang, P I O & Chief Engineer, State Sports Council, Tirot Sing Indoor Stadium, Lower Lachumiere, Shillong
8	MIC/Complaint/13/2018/8 Dated 14-9-2018 (Recd 12-7- 2018)	Shri Kringland Nongbri, R/o Mawlum Nginiong, BPO Markasa, West Khasi Hills District, Phone No. 9774455474	(1) F A A & Deputy Commissioner, Nongstoin (2) P I O & BDO, Mawthadraishan (3) Shri L.K.Diengdoh, MCS, E A C, South West Khasi Hills, Mawkyrwat. (4) Shri Thrangborlin Lyngkhohi, UDA O/o the Deputy Commissioner, Nongstoin
9	MIC/Complaint/14/2018/6 Dated 19-9-2018	Shri Dardy G C Marak, Chief Adviser,	(1) FAA & Director, A.H. & Veterinary, Shillong

	(Recd 16-8- 2018)	A.chikYouth Council, EEC, Tura, Matchakolgre, P.O. Araimile, West Garo Hills, Tura. (contact No. 8132006747)	(2) PIO & Joint Director O/o the Director A.H. & Veterinary, Shillong (3) PIO & District A.H. & Vety., Officer, South West Garo Hills.
10	MIC/Complaint/15/2018/6 Dated 16-10-2018 (Recd 29-8- 2018)	Shri Arwish C. Marak, Contractor, Balsrigitim, Williamnagar, (M) 8837349789	(1) PIO & Assistant Director, Housing, Shillong (2) PIO & Inspector of Housing, East Garo Hills, Williamnagar
11	MIC/Complaint/16/2018/7 Dated 16-10-2018 (Recd 29-8- 2018)	Md Zamal Prodhani, S/o Late Sodagar Ali Prodhani, Village Nayagaon P.O. Bhaitbari, West Garo Hills, Meghalaya. (M) 9366280840	(1) PIO & Jt. Director School Education & Literacy and (2) District Project Coordinator, SSA, West Garo Hills, Tura
12	MIC/Complaint/17/2018/ Dated 16-10-2018 (Recd 13-8- 2018)	Shri Sengbath Chambugong Marak, General Secretary, AYWO (CGB), Tura. (Mobile) 7085279714	PIO, Office of the District Horticulture Officer, South Garo Hills, Baghmara
13	MIC/General/5/2016/ Dated 13-11-2018 (Recd July 2018)	Shri E.S.Hynniewta, Pdeng Shnong, Sohra, East Khasi Hills, Meghalaya. Contact – 9612333050	(1) The District School Education Officer, East Khasi Hills, Mawkhar, Shillong Meghalaya (2) The Sub-Divisional School Education Officer, Sohra, East Khasi Hills
14	MIC/Complaint/19/2018/ Dated 16-11-2018 (Recd 2-10- 2018)	Smti. Aneeta Synrem, Advocate, Polo Hills, Near Party Decorators, Shillong – 793001. Phn. 9774281734, Email : aneesynrem2@gmail.com	(1) FAA & District School Education Officer, East Khasi Hills District, Shillong (2) PIO & Headmaster, Gandhi Buniyadi Secondary School, Pynthorumkhrah, Shillong
15	MIC/Complaint/43/2017/ Dated 11-12-2018 (Recd 24-9-2017)	Niraj Kumar Nirala, Village - P.O. Tadar, Thana-Sanhauli, District Bhagalpur, Bihar.	(1) FAA, Mahatma Gandhi University, Khanapara, 13th Mile, G.S. Road, Ri Bhoi Distirct, Meghalaya (2) PIO, Mahatma Gandhi University, Khanapara, 13th Mile, G.S. Road, Ri Bhoi Distirct, Meghalaya

3.2. Reasons for filing of complaints to the State Information Commission

Most of the Complaints lodged with the Commission are due to violation of Section 18 (1) (b).

Table 3.2.1 below gives a picture of the number of complaints filed under different clauses of Section 18 of the Right to Information Act.

Table 3.2.1

Section, Sub-sections and Clauses	No. of Complaints carried over from last year	No. of Complaints filed during the year	Total Nos. of Complaints with the Commission	No. of Complaints disposed	No. of Complaints rejected
18 (1) (a)	0	0	0	0	0
18 (1) (b)	0	15	15	15	0
18 (1) (c)	0	0	0	0	0
18 (1) (d)	0	0	0	0	0
18 (1) (e)	0	0	0	0	0
18 (1) (f)	0	0	0	0	0
Total		15	15	15	0

Chapter 4

Hearing and disposal of Second Appeals by the Commission

4.1. The most important function of the Commission is to receive and hear appeals preferred by the information seekers against the PIOs and decisions of the First Appellate Authorities (FAA).

Section 19 of the RTI Act 2005 provides -

(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 (*four*) Appeals were received.

The department-wise details of Second Appeals are given in Table 4.1.1 below.

Table 4.1.1

Department-wise receipt and disposal of Appeals by the Commission

Sl. No.	Name of the Department	No. of Appeals pending with the Commission at the end of last year	No. of Appeals preferred during the year	Total No. of Appeals with the Commission	No. of Appeals Disposed	No. of Appeals Rejected
1	Mahatma Gandhi University, G.S. Road	0	1	1	1	0
2	Forests & Environment Department	0	1	1	1	0
3	Meghalaya State Pollution Control Board, Shillong	0	1	1	1	0
4	Directorate of School Education & Literacy	0	1	1	1	0
	Total	0	4	4	4	0

Table 4.2.1

Details and particulars of Second Appeals disposed of by the Commission during the year

Sl. No.	Case No.	Name of Appellant	Name of PIO/Public Authority
1	MIC/Appeal/17/2017/18 Dated 29-1-2018 (Recd 3-12-2017)	Parmood Kumar Chhachhia, #51, Nearby Jai Bharat School, VPO Bapoli, Tehsil Bapoli, Panipat -132104	(1) PIO, Mahatma Gandhi University, Ri Bhoi District, Meghalaya (2) FAA, Mahatma Gandhi University, Ri Bhoi District, Meghalaya
2	MIC/APPEAL/7/2018/8 Dated 26-6-2018 (Recd 12-6-2018)	Smti. Aneeta Synrem, Advocate, Polo Hills, Near Party Decorators, Shillong – 793001, Phone No. 9774281734	PIO & Divisional Forest Officer (Territorial), Khasi Hills Division, Shillong - 793001
3	MIC/Appeal/10/2017/79 Dated 25-7-2018 (Recd 11-8-2017)	Shri S.K.Sharma 30, chandan Nagar Survey, Beltola Road, Guwahati -28, (M) 9435144118	(1) PIO, State Environment Impact Assessment Authority, Shillong

			(2) PIO, Meghalaya State Pollution Control Board, Shillong – 793014
4	MIC/Appeal/9/2017/43 Dated 6-8-2018 (Recd 25-8-2017)	Shri O.M.Shylla, Mawbidong Village, South West Khasi Hills, (Mobile) 9856789205	(1) PIO & Deputy Director School Education & Literacy, Shillong (2) PIO & Sub-Divisional School Education Officer and DMC (SSA), South West Khasi Hills, Mawkyrwat (3) APIO & Head Teacher, Mawbidong Presbyterian L.P. & U.P. School, South West Khasi Hills District

Chapter 5

Highlights of some of the important decisions of the Commission

(Orders passed by the Commission during 2018)

No. MIC/APPEAL/7/2018/8

Smti. Aneeta Synrem, Polo Hills, Shillong - Complainant

-Vrs-

PIO & DFO (Territorial) Khasi Hills Division, Shillong - Respondent

26.06.2018

O R D E R

Seen Appeal petition filed by Smti Aneeta Synrem, against the Public Information Officer (PIO) & Divisional Forest Officer, Khasi Hills (Territorial) Division, Forest Management Building, Lower Lachumiere, Shillong – 793001.

The brief of the case is that the Appellant, on 12th April, 2018, had filed an RTI application to the Public Information Officer (PIO) & Divisional Forest Officer, Khasi Hills, Social Forestry Division, Polo, Shillong. The PIO on the 13th April, 2018 transferred the RTI application to the PIO & Divisional Forest Officer, Khasi Hills (Territorial) Division, Meghalaya, Shillong to furnish the information to the appellant. The PIO & Divisional Forest Officer, Khasi Hills (Territorial) Division, Meghalaya, Shillong on 14th May, 2018 furnished the information to the appellant.

However, the appellant on her complaint alleged that the information is found to be incomplete and not as per her RTI application. Hence this instant Appeal.

The Commission after perusing and examining the complaint found that the Complainant had not filed a First Appeal before the Appellant Authority and has come directly to the Commission. The Commission therefore advises the Complainant to file a First Appeal before the First Appellate Authority.

The First Appellate Authority shall accept the Appeal and send a copy of the decision to the Commission. If not satisfied with the decision of the First Appellate Authority the Appellant is at liberty to come back to the Commission for a Second Appeal.

Case is disposed off.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No. MIC/Appeal/10/2017/79

Shri S.K.Sharma, Beltola, Guwahati

- Appellant

-Vrs-

1. PIO, State Environment Impact Assessment Authority, Shillong
 2. PIO, Meghalaya State Pollution Control Board, Shillong
- } Respondents

ORDER

25.07.2018 Case records put up today.

The Appellant Shri S.K.Sharma is absent. The Public Information Officer (PIO), Meghalaya State Pollution Control Board, 'Arden' Lumpynggad, Shillong and Respondent-PIO & Member-Secretary, State Environment Impact Assessment Authority (SEIAA), Meghalaya, Shri P.S.Nongbri, IFS are present.

The brief of the case is that, Shri S.K.Sharma, had filed an RTI application to the PIO, State Environment Impact Assessment Authority, Shillong, on 22nd April, 2017. The PIO, State Environment Impact Assessment Authority, Shillong, on 4th May, 2017 vide letter **No.SEIAA/GENL/RTI/2016/21/585**, transferred the RTI application to the PIO & Member-Secretary, Meghalaya State Pollution Control Board, 'Arden' Lumpynggad, Shillong under section 6(3) of the RTI Act, 2005, with a copy to the Appellant. No reply or communication was received from the PIO, Meghalaya State Pollution Control Board, Shillong. The Appellant on 13th June, 2017, filed an Appeal before the Departmental Appellate Authority, State Environment Impact Assessment Authority, Shillong and when no information was received he filed a 2nd Appeal before the Commission.

The Commission directed both the Respondent-PIOs i.e. the PIO & Member-Secretary, State Environment Impact Assessment Authority (SEIAA), Meghalaya and the PIO & Member-Secretary, Meghalaya State Pollution Control Board, 'Arden' Lumpynggad, Shillong to submit a written show cause and personal hearing before the Commission on 4th October, 2017.

During the hearing, the Respondent-PIO, State Environment Impact Assessment Authority, Shillong, Shri P.S.Nongbri submitted a written reply to the show cause call along with enclosures stating that no negligence was committed by either the PIO or the Appellate Authority, SEIAA, Meghalaya as the RTI application mentioned in the submission was transferred within the stipulated time. The question of the information not being provided to the Appellant therefore does not arise.

The Respondent-PIO & Member-Secretary, Meghalaya State Pollution Control Board, 'Arden' Lumpyngngad, Shillong, Shri J.H.Nengnong also submitted a written reply to the show cause call stating that the Meghalaya State Pollution Control Board does not have the records of the information required by the Appellant.

After examination of the documents submitted by both the PIOs, the Commission noted that the documents which the Appellant had obtained from the Regional Office of the Ministry of Environment and Forests & Climate Change (MEFCC), Shillong were documents issued by the Member-Secretary of the SEIAA and the documents are therefore documents belonging to the SEIAA.

The Commission also took serious note of the fact that the PIO, State Environment Impact Assessment Authority (SEIAA), is not aware of documents from his own office and the PIO, SEIAA was given time to check from the records and provide the information to the Appellant with intimation to the Commission by 10th October, 2017. The PIO was expected to locate the documents which are in the custody of the SEIAA and belonging to the SEIAA by 10th October, 2017 and that the PIO should provide the information to the Appellant free of cost.

The Public Information Officer (PIO), State Environment Impact Assessment Authority, Shillong in compliance to the Commission's order dated 4-10-2017 had earlier stated that the SEIAA, Meghalaya started functioning only in June, 2008 (PHE notification No. PHE.252/2006/127 dated 24-6-2008, based on the Govt. of India notification No.S.O.1203(E) dated 23-7-2007) that is after the new EIA Notification of 2006 was notified while the Environmental Clearances copies sought by Shri S.K.Sharma vide RTI application dated 22-4-2017 were from 2003-2004 and May, 2007.

The Commission, after examining the compliance report submitted by the PIO, State Environment Impact Assessment Authority (SEIAA), Meghalaya, feels that another hearing needed to be held to clarify how the **State Environment Impact Assessment Authority (SEIAA), issued the two expansion approvals in 2009 when it did not have any relevant data before 2008.** The Commission directed the PIO, State Environment Impact Assessment Authority (SEIAA), Meghalaya to appear before the Commission on 25th July, 2018 at 11:30 AM for hearing on this aspect of the question.

During the hearing the Respondent-PIO, State Environment Impact Assessment Authority (SEIAA), Meghalaya was asked to explain how the two expansion approvals were given in 2009, if there was no data before 2008 and whether the SEIAA had any information in its possession which led it to issuing the approvals.

The PIO informed the Commission that according to the Guidelines any project which is above 50 crores issuing of E.C. expansion can be done without the reference of the previous approvals.

The Respondent-PIO, State Environment Impact Assessment Authority (SEIAA), Meghalaya submitted that Environmental Certificate expansion was issued based on the Rules framed by SEIAA.

The Commission on hearing the verbal submission by the PIO, in order to clear the doubt on the mind of the Appellant, directs the PIO to inform the Appellant of the Rules, procedures etc. which formed the basis for the decision to give approval for the expansion. The PIO is not required to give any justification for the decision of the SEIAA.

The information should be given to the Appellant free of charge on or before the **3rd August, 2018** with a copy to the Commission.

Case disposed off.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No. MIC/Appeal/9/2017/43

Shri O.M.Shylla, Mawbidong Village, South West Khasi Hills - Appellant
-Vrs-

1. APIO & Head Teacher, Mawbidong, Presbyterian, L.P. School }
2. FAA & Director School Education & Literacy, Shillong } Respondents

06.08.2018

O R D E R

File on call.

The brief of the case is that -

1. The Appellant, Shri O.M.Shylla sought certain information from the APIO & Secretary, Managing Committee, Mawbidong, Presbyterian L.P. & U.P. School, South West Khasi Hills. (*Section 5(2) says he should forward the same forthwith to the PIO*).
2. In this case the APIO did not forward the application. Instead of forwarding it to the PIO he (APIO) himself provided the information directly to the Appellant.
3. According to the documents submitted by the Appellant to the Commission dated **25th August, 2017** -
 - (i) No records of that original RTI application filed to the APIO was given. The Appellant later produced copies of application of **19th April, 2017 and 8th May, 2017** (the Appellant later produced it only on **20th July, 2018**)
 - (ii) There were no records of the information furnished by the APIO to the Appellant (the Appellant later produced it only on **20th July, 2018**)
 - (iii) There were no records of the Appellant's complaint to the PIO & Sub-Divisional School Education Officer (SDSEO) and District Mission Coordinator (DMC), Sarva Shiksha Abhiyan (SSA), South West Khasi Hills District, Mawkyrwat.

Regulation 8 of Meghalaya State Information Commission Regulations of 2009 requires that copies of such records should be submitted along with the appeal. In spite of the fact the documents were not submitted the appeal was entertained (some copies were accepted later) as an informal complaint in the interest of justice.

4. The PIO & SDSEO and DMC (SSA), South West Khasi Hills, Mawkyrwat conducted a hearing on 7th June, 2016. The members present were (1) the Appellant, Shri O.M.Shylla and (2) the APIO & Secretary, Managing Committee, Mawbidong, Presbyterian L.P. & U.P. School. During the hearing the PIO & SDSEO and DMC (SSA), South West Khasi Hills imposed a penalty on the APIO. According to Section 20 the PIO is not empowered to impose penalty.
5. The Departmental Appellate Authority (DAA) & Director School Education & Literacy, Shillong, on seeing the news item which appeared in the local dailies dated **21-7-2017** reporting that the SDSEO and DMC (SSA), South West Khasi Hills, Mawkyrwat had imposed a penalty on the APIO & Secretary, Managing Committee Mawbidong Presbyterian L.P. & U.P. School, carried out an enquiry suo Motu.
6. The Departmental Appellate Authority (DAA) & Director of School Education & Literacy, Shillong, on **7-8-2017**, conducted a hearing on his *suo moto* enquiry in his office chamber in which the PIO & SDSEO and DMC (SSA), South West Khasi Hills, Mawkyrwat was present. The matter was disposed off with a direction to the PIO & SDSEO and DMC (SSA), South West Khasi Hills, Mawkyrwat to review the order dated **7-6-2017** and to refund the amount of Rs.5250/- (Rupees five thousand two hundred & fifty) to the APIO & Secretary, Managing Committee, Mawbidong, Presbyterian L.P. & U.P. School.
7. On the same day i.e. **7-8-2017**, another hearing was held in the office chamber of the DAA on the Appeal filed by Shri O.M.Shylla dated **13-6-2017**, in the presence of all concerned (1) the PIO & SDSEO and DMC (SSA), South West Khasi Hills, (2) the APIO & Head Teacher of Mawbidong, Presbyterian L.P.School, Shri P.Shangdiar and (3) the Appellant, Shri O.M.Shylla to confirm if the information requested by the Appellant had been provided. After the hearing was held the DAA issued his order stating that ***“found that all information has been supplied by the APIO & Head Teacher to the Appellant within the time prescribed under the Law and there is no need to issue further direction to the APIO & Head Teacher to furnish the information as all the information has been already clarified during the hearing”***.
8. The Appellant not satisfied with the order passed by the DAA on **25-8-2017** filed an Appeal to the Commission.

9. The Commission on **30-8-2017** vide letter No.MIC/Appeal/9/2017/34 forwarded the Appeal to the DAA to take it as an Appeal at his level (noting that the DAA had conducted an Appeal case) and to report the same to the Commission.
10. The DAA on receipt of the letter from the Commission, on **25-10-2017**, **conducted another hearing** where (1) Shri P.Ryngksai, Jt. Director, School Education & Literacy, Shillong, acted as Chairman as authorized by the Director, (2) Shri W.Biam, DMC, SSA, Mawkyrwat, (3) Shri B.T.Diengdoh, SDSEO, Mawkyrwat, (4) Shri P.R.Shangdiar, APIO & Head Teacher of Mawbidong Presbyterian, L.P/U.P School and (5) Shri O.M.Shylla, the Appellant were present. The hearing was conducted thoroughly and the DAA came to the conclusion that:-
- (i) The information asked by the Appellant, Shri O.M.Shylla has been furnished within the stipulated time and the Appellant admitted that he has received the same, except for a few errors such as using different wording which however carried the same meaning and therefore cannot be classified as wrong information.
 - (ii) The APIO did not follow the RTI Act when he received the application. He furnished the information to the Appellant directly instead of forwarding the application to the PIO.
11. The APIO & Secretary, Managing Committee, Mawbidong Presbyterian L.P./U.P. School, Shri P.R.Shangdiar was therefore warned that in future all information asked under RTI should be forwarded to the concerned PIO & SDSEO, Mawkyrwat or District Mission Coordinator, SSA who is authorized to furnish information under RTI Act, 2005.
12. The PIO & SDSEO, Mawkyrwat was directed to take Disciplinary Action against the APIO & Head Teacher & Secretary, Mawbidong Presbyterian L.P/U.P School for violating the procedure on RTI Act, 2005 and report on action taken should be submitted to the Directorate, School Education & Literacy, Shillong.
13. The Departmental Appellate Authority & Director School Education & Literacy, Shillong in compliance with the order of the Commission sent a report to the Commission vide Memo **No.DSEL/EL/GB/RTI/1/2010 dated 14th November, 2017**. The D.A.A., reported that the S.D.S.E.O., has been directed to take disciplinary action against the A.P.I.O., & Head Teacher, Mawbidong Presbyterian L.P., School, Shri P.R.Shangdiar.

14. The Commission after examining the report, on **8th March, 2018**, wanted to know if the orders of the D.A.A., had been carried out and so directed the D.A.A., & Director School Education & Literacy, Govt. of Meghalaya, Shillong to send a final report on the disciplinary action taken, to the Commission by **23rd March, 2018**.
15. The Public Information Officer & Deputy Director School Education & Literacy, Meghalaya, Shillong in compliance with the order of the Commission dated **8-3-2018**, vide letter **No.DSEL/EL/GB/RTI/1/2010/136 dated 23rd March, 2018** sent to the Commission a copy of an order of the Sub-Divisional School Education Officer (SDSEO), Mawkyrwat, **No.SDSEO/MKT/PE/RTI/2016/1628 dt. 29th December, 2017**, directing the Secretary/APIO Mawbidong Presbyterian L.P.School that *“all records and documents of the Mawbidong Presbyterian L.P.School should be properly maintained and kept in proper custody and that in future all information as under RTI should forwarded to the concerned PIO&Sub-Divisional School Education Officer, Mawkyrwat who is the Public Authority to furnish the information under the RTI Act, 2005.”*

Decisions of the Commission:

The Commission on receiving the appeal from the Appellant and the documents given by him had noted that an appeal had already been made to the Departmental Appellate Authority & Director School Education & Literacy, Shillong and that the DAA had examined the appeal. The Commission examined this case in spite of the absence of documents to take up a formal case if there was enough reason to do so.

The Commission therefore examined the issues, viz. (1) If any information had been withheld a wrong information has given by the PIO, and (2) If the whole process had been carried out correctly.

The Commission accepted other documents given by the Appellant which had not been enclosed in his appeal in order to confirm if any information had been withheld or if any wrong information was given by the Public Authority. The Commission also heard the Appellant.

After a thorough re-examination the Commission found that no information was withheld by the Public Authority. It also found that the information given was the information available in the records of the Authority.

The Commission however found that the RTI Act had not been followed, firstly by the APIO who should have forwarded the application to the PIO. By giving the information directly he had failed to follow the RTI Act. From the examination it is however clear that the APIO & Head Teacher, Mawbidong Presbyterian L.P., School, Shri P.R.Shangdiar, had given the information not with any wrong intent but with a desire to provide the information. In fact he had replied to the first application dated 19/4/2017 by his letter dated 20/5/2017. He had also replied to the second application dated 8/5/2017 by his letter dated 22/5/2017. In both these replies he had invited the applicant to collect the photocopies of the documents. There is no record if any payment was made for the photocopies. What is important is that there was evidence showing an apparent and obvious willingness on the part of the APIO to provide the information.

The Commission however noted that though he was not supposed to provide the information directly his action displayed a willingness to abide by the spirit of the RTI Act.

Secondly, the Commission also found that the PIO, on his part, had exceeded his power in imposing a penalty on the APIO.

It was clear that the PIO and APIO are both ignorant of the provisions of the RTI Act. The DAA had however taken this matter into cognizance and had already taken corrective action as well as issued instruction for future preventive action. No deliberate intent to withhold information or to give wrong information could be seen.

The Commission after examining all documents presented by the Appellant and all the reports of hearings conducted by the Departmental Appellate Authority & Director of School Education, Shillong finds no merit to proceed further as stern action has already been given to the erring officers with directions to take corrective measures. The Commission noted that though procedures have not been correctly followed, diversions from procedure these will not have any effect on the information already provided nor they fundamentally change the facts of this whole matter under examination.

The Commission is satisfied that there was no evident to indicate attempt to subvert the RTI Act and there was no malicious intent to withhold information or to give wrong information. The Commission has viewed with concerned that actions of both the PIO and the APIO which clearly show that these two officials

were ignorant of the provisions of the RTI Act. The Commission however also notes that the DAA had taken steps the mistakes committed. It therefore has decided that there is no need to admit this formally as an Appeal case.

The Commission however directs the Secretary of the Education Department of the State Government to take steps to educate all concerned officials on the provision of the RTI Act so that future applications for information are dealt with correctly.

Hence the case is closed.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No. MIC/Complaint/40/2017/12

President & Secretary HYC, Nongspung Circle, - Complainant

-Vrs-

PIO Nongspung Higher Secondary School, Nongspung - Respondent

09.01.2018

O R D E R

Case records put up today.

The Complainant, Mr Wantestar Marwein, General Secretary, Hynniewtrep Youth Council, Nongspung Circle is absent. The Public Information Officer (PIO), Nongspung Higher Secondary School, Nongspung, Shri Wanbok Rani is present.

The brief of the case is that, the complainant on **12th July, 2017**, had filed an RTI application with the Public Information Officer (PIO), Nongspung Higher Secondary School, Nongspung seeking information on 8(eight) items. The Complainant alleged that the PIO, Nongspung Higher Secondary School, Nongspung did not furnish the information requested for and hence this instant complaint.

The Commission after perusing and examining the complaint directed the Departmental Appellate Authority & Director School Education & Literacy, Meghalaya, Shillong to take up the complaint as the First Appeal and pass order accordingly with a copy to the Commission.

The Departmental Appellate Authority & Director School Education & Literacy, Meghalaya, Shillong in compliance with the order of the Commission dated 15th September, 2017, vide letter No.DSEL/NG-HSS/RTI/5/2015/89 dated 5th December, 2017, reported that hearing was conducted on 24-11-2017 at 11:00 AM and that the PIO & Principal Nongspung Higher Secondary School did not attend the hearing and later reported at 12:45 PM after the hearing was over.

The Commission after perusing and examining the report submitted by the Departmental Appellate Authority & Director of School Education and Literacy, Meghalaya, Shillong directed the PIO & Principal Nongspung Higher Secondary School to show cause as to why the information sought for should not be provided to the Complainant and why penalty according to the Law should not be awarded to him for failure to provide the information in time. The Commission fixed **09-1-2018 at 12:00 Noon** for reply to the show cause notice and hearing of the case.

The Respondent- PIO & Principal Nongspung Higher Secondary School, Shri Wanbok Rani during his verbal submission tendered his apology for not being able to provide the information to the applicant in time due to ill health since the month of June, 2017. Secondly, he submitted that though all the information was available with him, except item No. 6 i.e. "Name of contractors entrusted by the Managing Committee for construction of the school buildings under MPLADS @ Rs.10,00,000/- and MDC Scheme @ Rs.3,00,000/-. Photo copy of plan estimate and status of the work, whether final bill has been cleared or not by the concerned office for the same". He informed the Commission that this particular information was not available with him but was in the possession of the office of the Block Development Officer, Mawphlang and the Khasi Hills Autonomous District Council, Shillong respectively and the PIO requested the respective office for the information. However, till date the information has not been sent to him and hence he did not provide the information to the applicant so far.

The PIO was not aware that he should have transferred the request on item No. 6 to the respective offices of the BDO Mawphlang C&RD Block and to the PIO, KHADC. His ignorance of Section 6(3) of the Act cannot be an excuse for the delay.

He further stated that he had sincerely tried to attend the hearing called by the Departmental Appellate Authority on 24-11-2017 but was held back by a huge traffic jam and reached the office of the DAA at 12:45 PM, only after the hearing was done.

The Commission after hearing the submission of the Respondent-PIO, hereby directs the Respondent- PIO & Principal Nongspung Higher Secondary School, Shri Wanbok Rani:-

- (1) to provide the information available with the PIO, i.e. on all items except item No.6 of the list, immediately to the applicant with a copy to the Commission.
- (2) to transfer item No.6, under section 6(3) of the RTI Act, 2005 to the Block Development Officer, Mawphlang, C&RD Block, East Khasi Hills and to the PIO, Khasi Hills Autonomous District Council, Shillong in-charge MDC Scheme, who shall take respective action forthwith according to the Law, and also inform the applicant accordingly. *The respective PIO of the Mawphlang C&RD Block and the KHADC shall be responsible to send the information to the applicant within the time stipulated by Law.* The copy of this transfer shall also be sent to the Commission.

The Commission found that the Respondent-PIO has delayed for nearly six months in providing the information to the applicant. The Commission after considering the apology of the Respondent-PIO and his illness and since this is the first time he has failed to observed the Law as laid down in the Act, decided to impose a penalty of **Rs.500/-** (Rupees five hundred)only with a warning against future disregard of the Law.

By the powers conferred on the Commission under section 20 of the RTI Act 2005, a Penalty of ₹ 500/- (Rupees five hundred) is imposed on Shri Wanbok Rani, PIO & Principal of Nongspung Higher Secondary School, Nongspung, for his failure to furnish the information He is required to deposit the above amount by Treasury Challan 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 the period of 30 days from the date of this Order with intimation to this Commission.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No. MIC/Complaint/42/2017/61

Shri Jintu Ch Marak, President, Federation for A.chik Freedom - Complainant

-Vrs-

PIO & Principal, Williamnagar Govt. College, Williamnagar - Respondent

ORDER

28.05.2018 Case records put up today.

The Complainant, Shri Jintu Ch Marak is absent. The PIO & Principal Williamnagar Govt., College, East Garo Hills, Dr Paritosh Chakravarty is present.

The brief of the case is that, Shri Jintu Ch Marak had filed an RTI application to the PIO & Principal, Williamnagar Govt. College, Williamnagar, Meghalaya on 9th August, 2017. The PIO & Principal, Williamnagar Govt. College, Williamnagar vide letter **No.WGC.9/Misc.2017/309 dated 8th September, 2017**, informed the complainant that *“the information asked by the complainant could not be completed within the period of 30 days, on the account that the related papers are being kept or used for cross-check of Accounts for the Auditors who are coming to the College for auditing on 3rd October, 2017. Due to this co-incidence and other works it may take some more days”*. The Complainant, then filed a complaint to the Commission.

The Commission after perusing and examining the complaint on **15th September, 2017** had directed the Departmental Appellate Authority & Director Higher & Technical Education, Meghalaya, Shillong to take up the complaint as an Appeal and proceed with the hearing and enquire into the case after which he shall report to the Commission.

As ordered by the Commission, the Departmental Appellate Authority & Director Higher & Technical Education, Meghalaya, Shillong had conducted a hearing and submitted a report to the Commission.

The Commission had perused and examined the letter **No.WGC.74/RTI/2017-18/613 dated 17th April, 2018**, received from Dr Paritosh Chakravarty, PIO & Principal Williamnagar Govt., College, East Garo Hills in compliance of the Commission’s order dated **15th September, 2017**.

After examining the report the Commission directed the PIO & Principal Williamnagar Govt., College, East Garo Hills, Dr Paritosh Chakravarty to appear in person before the Commission on **28th May, 2018 at 11:300 AM** for hearing.

During the hearing the Respondent-PIO & Principal Williamnagar Govt., College, East Garo Hills, Dr Paritosh Chakravarty, submitted that he had made a delay in providing the information after almost two months due to ignorance of the RTI Act, 2005. He prayed that the same will not be repeated again.

The Commission, after examining the documents and hearing the oral submission from the Respondent PIO, is satisfied that he did not deliberately attempt to deny the information to the Complainant. The Respondent PIO was told that the RTI Act does not have a provision for delay in providing information for a reason as an ongoing audit.

The Commission after examining the documents submitted and hearing the oral submission imposes a fine of Rs.100/- (Rupees one hundred) only to the Respondent-PIO & Principal Williamnagar Govt., College, East Garo Hills, Dr Paritosh Chakravarty on account of delaying in furnishing the information to the Complainant.

The Respondent PIO, Dr Paritosh Chakravarty, is required to deposit the above amount by Treasury Challan 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.

Fix **28th June, 2018** for compliance.

The Complainant is absent and has not provided any explanation specifying the reasons why he is not satisfied with the information provided and the decisions of the Departmental Appellate Authority.

The Complaint regarding the provision of insufficient information and unsatisfactory action of the DAA is therefore dismissed.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No.MIC/Complaint/11/2018/11

D.M.Pariat, Secretary, Shillong Recreation Ground Trust

Complainant

- Vrs -

PIO, Directorate of Sports & Youth Affairs, Meghalaya, Shillong

- Respondent

26.06.2018

O R D E R

Case records put up today.

The brief of the case is that, the Complainant, Shri D.M.Pariat on **22nd March, 2018** filed an RTI application to the PIO & Assistant Director, Sports & Youth Affairs, Meghalaya, Shillong. The PIO & Assistant Director, Sports & Youth Affairs, Meghalaya, Shillong on receipt of the application transferred the RTI application to the PIO & Chief Engineer, State Sports Council, Meghalaya, Shillong on **29th March, 2018** vide letter **No.DSYA/MISC 24/2017/48** asking him to to furnish the information sought for before **13-04-2018**.

However, till **28th May, 2018**, almost two months later, the PIO & Chief Engineer, State Sports Council, Meghalaya, Shilong vide letter **No. SSCM/CE.160/2013-14/109** furnished the information to the PIO & Assistant Director, Sports & Youth Affairs, Meghalaya, Shillong.

The Commission received the complaint from the Complainant on **27th April, 2018** against the PIO of the office of Director of Sports & Youth Affairs, Meghalaya, Shillong. The Commission on **14th May, 2018**, issued a notice to the PIO & Assistant Director, Sports & Youth Affairs, Meghalaya, Shillong to show cause as to why the information sought for should not be provided to the Complainant and why penalty according to the Law should not be awarded to him for failure to provide the information in time, fixing **31st May, 2018** for submission of the show cause.

The PIO & Assistant Director, Sports & Youth Affairs, Meghalaya, Shillong, on **28th May, 2018** received the information from the PIO & Chief Engineer, State Sports Council, Meghalaya, Shilong and on the same day he submitted a copy of the information to the Commission.

The Commission after perusing and examining the show cause found that the PIO & Chief Engineer, State Sports Council, Meghalaya, Shillong has failed to provide the

information within the statutory period. The Commission directed the PIO & Chief Engineer & Public Information Officer, State Sports Council, Meghalaya, Shillong to show cause as to why the information sought for was not provided to the Complainant and why penalty according to the Law should not be awarded to the PIO for failure to provide the information in time and fixed **26th June, 2018** for submission of the show cause reply.

The Commission on **21st June, 2018** received a compliance report submitted by the PIO & Chief Engineer & Public Information Officer, State Sports Council, Meghalaya, Shillong vide letter **No.SSCM/CE/160/2013-2014/156**. The PIO in his submission stated that he has no intention to hide any required information from his end whatsoever. He humbly apologized for the blunder that his office had committed and begged to excuse him this time.

The Commission appreciated the fact that the Respondent did not try to provide any further excuse but rather readily admitted his mistake and apologized but noted that there has infact been a long delay in responding them to the PIO of the Directorate of Sports & Youth Affairs. The Commission after hearing and examining his submission, imposed a penalty Rs.100/- on Shri James Lakiang, PIO & Chief Engineer & Public Information Officer, State Sports Council, Meghalaya, Shillong for his failure to provide the information in time with a warning not to make such delays in future.

He is required to deposit the penal amount by Treasury Challan 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 the period of 30 days from the date of this Order and to send confirmation to this Commission immediately on such deposit having been made.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No.MIC/Complaint/13/2018

Shri Kringland Nongbri, Markasa, West Khasi Hills - Complainant

- Vrs -

PIO & BDO Mawthadraishan C&RD Block, West Khasi Hills - Respondent

14.09.2018

O R D E R

Case records put up today.

The Complainant, Shri Kringland Nongbri is absent. The Respondent-PIO & Block Development Officer, Mawthadraishan C&RD Block, West Khasi Hills District, Shri M.Diengdoh, MCS and Shri K.Kharkongor, Senior Gram Sevak are present.

The brief of the case is that:-

- (i) The Complainant, Shri Kringland Nongbri had filed an application for information under the RTI Act, 2005 dated **20.6.2017** to the PIO & Block Development Officer, Mawthadraishan C&RD Block, West Khasi Hills, however, the Complainant alleged that he has not received the information nor any communication from the PIO even after the statutory period of 30 days.
- (ii) The Complainant, on **1-11-2017**, filed a first appeal before the First Appellate Authority & Deputy Commissioner, West Khasi Hills District, Nongstoin and no information nor any communication received from the Appellate Authority. Hence, a complaint before the Commission.
- (iii) The Commission on **25-7-2018** issued a notice to the PIO to show cause as to why the information sought for should not be provided to the Complainant and why penalty according to the Law should not be awarded to him for failure to provide the information in time and had fixed **14-8-2018** for reply of the show cause notice.
- (iv) In compliance to the order of the Commission, the Respondent-PIO vide letter **No.M/MTRB SBM/RTI-15/2015-16/11** dated 14th August, 2018 submitted that: -
 - (1) The application dated 20-6-2018 seeking information under Right to Information Act 2005 was received from Shri Kringland Nongbri R/o Mawlumnginiong on 20-6-2017 by his predecessor Shri L.K.Diengdoh, MCS, PIO & BDO, Mawthadraishan C&RD Block, West Khasi Hills.
 - (2) On receiving the application the same was processed through the General Branch by Shri T.Lyngkhoi (UDA) as the information sought for pertained to the subject of SBM. Shri L.K.Diengdoh, MCS, PIO & BDO, Mawthadraishan C&RD Block

West Khasi Hills District, immediately instructed Shri T.Lyngkhoi (UDA) to depute Shri K.Kharkongor, Senior Gram Sevak, Nodal Officer, SBM to furnish information as sought for from serial No.1 to serial No.5 (refer No.MTRB/GENL-3/2016/20, dated Nongshillong the 27th June, 2017.

- (3) The SBM, Nodal Officer, Shri K.Kharkongor, Senior Gram Sevak prepared the information point wise as sought and submitted the report through Shri T.Lyngkhoi (UDA) addressed to the BDO, Mawthadraishan C&RD Block, Nongshillong vide letter No.MTRB/SBM/RTI-15/2015-16/9 dated Nongshillong the 11th July, 2017.
- (4) On perusal of office records it appears that the report submitted by the Nodal Officer, SBM, Shri K.Kharkongor, Senior Gram Sevak was never put up by Shri T.Lyngkhoi (UDA) to the PIO and BDO Mawthadraishan C&RD Block for necessary action from his end.
- (5) On enquiry from Shri T. Lyngdkhoi (UDA) by the Respondent on the delay to furnish the information as sought for by the Complainant, Shri Kringland Nongbri, he informed the PIO that he had already met personally with the Complainant and had verbally instructed him to pay the fees as the information sought by him was ready. The Complainant, Shri Kringland Nongbri however failed to appear or to pay the requisite fee as instructed. Shri T.Lyngkhoi (UDA) informed the PIO that since the Complainant is close to him he had done the communication verbally. Shri T.Lyngkhoi (UDA) admitted that he had inadvertently comitted a mistake by not giving a notice in writing to the complainant.
- (6) On receipt of the notice from the Commission the present PIO and BDO Mawthadraishan C&RD Block , Nongshillong confirmed that all the information sought for was ready and would be furnished to the Complainant.

The Commission after examining the report of the PIO & Block Development Officer, Mawthadraishan C&RD Block, West Khasi Hills, found that till the date of examination of the report the requested information had not been furnished to the applicant and fixed **14th September, 2018 at 11:30 AM** for hearing of the case and submission of further documents.

The Respondent-PIO & Block Development Officer, Mawthadraishan C&RD Block, West Khasi Hills, Shri M.Diengdoh, MCS appeared before the Commission along with Shri K.Kharkongor, Senior Gram Sevak 14th September, 2018. The present Block Development Officer, Mawthadraishan C&RD Block, West Khasi Hills, Shri M.Diengdoh joined as BDO Mawthadraisham C&RD Block on 12-1-2018 and the previous BDO Shri L.K. Diengdoh was

released from the post of BDO Mawthadraishan on 11-1-2018. The application made by the applicant Shri Kringland Nongbri was made on 20th June, 2017. It is clear that the present BDO, Shri M.Diengdoh had joined about six months after the application was made.

The Senior Gram Sevak and Nodal Officer and SBM of Mawthadraishan C& RD Block, Shri K, Kharkongor who had been deputed to compile and provide the information requested by the applicant had completed his work on 11th July 2017 and submitted the information in writing to the BDO Mawthadraishan C&RD Block but is not aware of further progress on the request of the applicant after he submitted the report to the BDO.

The present BDO Mawthadraishan, Shri M.Diengdoh, MCS was not aware of this pending RTI application.

Subsequent to the show cause notice from the Commission the present PIO & BDO Mawthadraishan C&RD Block had furnished the information to the applicant on 29-8-2018.

From the submissions made before the Commission and the documents provided it is clear that the former PIO & BDO Mawthadraishan C&TD Block, Shri L.K.Diengdoh, and the former UDA General Branch of Mawthadraishan C&RD Block, Shri T.Lyngkhoi had delayed in providing the information to the applicant.

Issue show cause notice to Shri L.K.Diengdoh, MCS former PIO & BDO Mawthadraishan C&RD Block presently posted as Extra Assistant Commissioner, Mawkyrwat, South West Khasi Hills and to Shri Thrangborlin Lyngkhoi former UDA, Mawthadraishan C&RD Block at present posted at the Deputy Commissioner's Office, West Khasi Hills District to state why action should not be taken against them for delay in providing the information to the applicant. The reply should reach the Commission by **10.10.2018**.

The present BDO Mawthadraishan C&RD Block, Shri M. Diengdoh, MCS was not informed of the pending RTI request until he received the notice from the Commission and was not therefore responsible for the delay. The show cause reply by Shri M. Diengdoh, MCS, presently PIO & BDO Mawthadraishan C&RD Block is accepted and the case against him is closed.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No.MIC/Complaint/14/2018/6

Shri Dardy G C Marak, Matchakolgre, P.O. Araimile, Tura - Complainant

- Vrs -

1. PIO & District A.H. & Vety., Officer, South West Garo Hills } Respondents
2. PIO & Jt. Director (Hqtr) o/o the Director, A.H. & Vety. Shillong }

19.09.2018

O R D E R

Case records put up today. The hearing scheduled to be held on 14th September 2018 is adjourned and fixed on 19th September, 2018 at 11:30 AM.

The Complainant, Shri Dardy G C Marak is absent. The Respondent-PIO & Joint Director (Hq) office of the Director, A.H. & Veterinary, Govt. of Meghalaya, Shillong, Shri C. Shilla and the Assistant Director, A.H. & Vety., Shillong, Dr P.K. Joshi are present.

The brief of the case is that:-

- (1) The Complainant, Shri Dardy G.C. Marak had filed an application for information under the RTI Act, 2005 dated **5th April 2018** to the PIO & District A.H. & Veterinary Officer, South West Garo Hills, Ampati. In three category A, B & C totaling 29 (twenty nine) numbers of items.
- (2) The PIO & District A.H. & Veterinary Officer, South West Garo Hills, Ampati. on the next day i.e. on the **6th April, 2018** transferred the RTI application and the application vide IPO No. 35F-489791 to the Director, A.H. & Veterinary, Shillong to take up from his end.
- (3) The Director A.H. & Veterinary, Shillong on **9th May, 2018**, vide letter No. MVD/E-14/PT/RTI/2018-19/79, forwarded the RTI application to all Drawing & Disbursing Officers to furnish the information under RTI Act 2005 immediately to the office of the Director A.H. & Veterinary, Shillong.
- (4) The Complainant alleged that he has not received any information or any communication from the PIO Directorate of A.H. & Veterinary, Shillong. Hence, the instant complaint.
- (5) The Commission admitted the complaint and issued notice to the PIO to show cause why the information sought for should not be provided to the Complainant and why penalty according to the Law should not be awarded to him for failure to provide the information in time and fixed **14th September, 2018 at 12:00 Noon** for show cause and hearing the case and then adjourned till 19th September, 2018 at 11:30 AM

The Respondent-PIO & Joint Director (Hq) office of the Director, A.H. & Veterinary, Govt. of Meghalaya, Shillong, Dr C. Shilla and Assistant Director, AH. & Vety., Shillong. Dr P.K.

Joshi during the hearing brought the Receipt Register and showed that the letter dated 6th April, 2018 forwarded by the PIO & District A.H. & Veterinary Officer, South West Garo Hills, Ampati was received in the office of the Director, A.H. & Vety., Shillong on **18th April, 2018**. Section 6(3) of the RTI Act, 2005 adds five days in providing information.

According to the documents submitted by the PIO, the Director A.H. & Veterinary, Shillong before the Commission, he forwarded the RTI application to all Drawing & Disbursing Officers to furnish the information under RTI Act 2005 on **9th May, 2018**, vide letter No. MVD/E-14/PT/RTI/2018-19/79, to furnish the information under RTI Act 2005 immediately to the office of the Director A.H. & Veterinary, Shillong.

Date of RTI application is 5-4-2018, due date of information is 10-5-2018 including 5(five) days for forwarding from the PIO to another PIO. The Commission received the Complaint on 10-8-2018. The delay to furnish the information is almost 90 days, that is 11-5-2018 till 10-8-2018.

It was also seen that the information had to be collected from 47 DDOs located in different parts of the State. The Commission accepted the logistical difficulties in collecting such huge amount of information but noted that this could have been done in a shorter period if the request for information have been dealt with promptly without delay.

The Commission after hearing his verbal and written submission, imposed a penalty Rs.1000/- on Dr C.Shilla, PIO & Joint Director, A.H. & Vety., Shillong, for his failure to provide the information in time with a warning not to repeat such failure in future.

He is required to deposit the penal amount by Treasury Challan 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 the period of 30 days from the date of this Order and to send confirmation to this Commission immediately on such deposit having been made.

The Commission also directed the PIO & Joint Director, AH. & Vety., Shillong to provide the information collected from the DDOs of all the District Offices in printed or soft copy to the Complainant free of cost before **8th October, 2018** with intimation to the Commission.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No.MIC/Complaint/17/2018/

Shri Sengbath Ch Marak, Genl. Secy., AYWO (CGB), Tura - Complainant

- Vrs -

PIO O/o District Horticulture, South Garo Hills, Baghmara - Respondent

16.10.2018

O R D E R

Case records put up today. The hearing which was scheduled on 11-10-2018 was adjourned to 16-10-2018.

The Complainant, Shri Sengbath Ch Marak, Genl. Secy., AYWO (CGB), Tura is present. The PIO & District Horticulture Officer, South Garo Hills, Baghmara, Shri Rathindra Marak is present. The UDA of the office of the District Horticulture Officer, Baghmara, Shri Modon N.Sangma is present.

The brief of the case is that:-

- (1) The Complainant had filed an application dated **6-3-2018** for information under the RTI Act, 2005 to the office of the District Horticulture Office, South Garo Hills, Baghmara. After the statutory period of 30 days was over, the complainant went to the office of the PIO to enquire about the information. The office assistant replied that the person who received his application had been transferred and the present Dealing Assistant could not do anything as the application had been misplaced by the then Dealing Assistant. The applicant then filed a fresh application.
- (2) However, the office assistant refused to accept the fresh application citing the reason that the Public Information Officer was not present and requested the complainant to come and submit the application when the PIO was in office.
- (3) On 4th July, 2018, the applicant again visited the office of the PIO but the PIO was not present. The applicant therefore discussed with the UDA and requested him to receive the application. The UDA however refused to accept the application and again requested the complainant to come when the PIO was present. Hence this complaint to the Commission.
- (4) The Commission on **19th September, 2018**, issued a notice to the PIO & District Horticulture Officer, South Garo Hills and to the UDA dealing with

RTI matters in the office of the DHO, South Garo Hills to show cause as to why the information sought for should not be provided to the Complainant and why penalty according to the Law should not be awarded to them for failure to provide the information in time and to the UDA why he refused to accept the application. **10th October, 2018 at 12:00 Noon** was fixed for reply to the show cause notice and hearing of the case.

The Respondent-PIO & District Horticulture Officer, South Garo Hills, Shri Rathindra Marak in his written submission stated that:-

- (i) Regarding the allegation or non-receipt of the original application dated 6th March, 2018 submitted by Shri Sengbath Chambugong Marak, General Secretary, AYWO(CGB), Tura has never placed any application under RTI nor did he appear before PIO and had therefore not complied with the mandatory provisions of the RTI Act.
- (ii) The former UDA (female) had reported to the PIO that only Shri Sansan D. Sangma, Teacher of Siju School under South Garo Hills and Shri Rakbath D. Sangma of Rewak had for the first time approached her to receive the application and that the applicant never came to the office in person nor did he meet the PIO incharge regarding the subject.
- (iii) On the second occasion i.e. on 4th July 2018 the applicant had visited the office and requested the UDA, Shri Modon A Sangma who had joined recently to receive the application but the UDA informed him that the PIO was not present in office and that he was in Shillong for official work and requested him to submit the application before the PIO in order to comply with the mandatory provision of the Act and for its smooth implementation. Further the UDA informed the complainant that the UDA was not authorised by the higher authority to receive the application relating to RTI matters. After this the applicant did not approach his office again and as such the PIO has no knowledge about the application or about issue of any money receipt.
- (iv) That the allegation of non-receipt of the application has no legal footing and is baseless without any corroborated evidence nor is there any proof of it. Hence the allegation of complaint cannot stand the scrutiny of law and equity.

- (v) The applicant has never approached the PIO nor submitted any application to him and as such there is no record officially available to enable the PIO to communicate further in this matter.

On the basis of the above stated facts and circumstances, the Respondent PIO requested the Commission to consider the complaint as baseless and not to entertain the case without any concrete evidence.

The UDA staff in the District Horticulture Officer, South Garo Hills, Shri Modon N. Sangma in his written submission stated that:-

- (i) He was posted as UDA in District Horticulture Office, South Garo Hills, Baghmara on **13th March, 2018** and joined on the same day.
- (ii) On **4th July, 2018**, the application was brought by the complainant however as per instructions he did not receive the RTI Application as the PIO and APIO were not present and since during his training he was instructed that while receiving the RTI application the PIO must be present as the signature of APIO or PIO was required while receiving the RTI application. On that day neither the APIO was present nor PIO was present as they had gone to attend an official meeting in Shillong. He further stated that he had no ill will or malicious intention in refusing to receive the RTI application and was only doing his duty as per his understanding of rules which he was taught in the departmental training.
- (iii) He had also instructed the applicant to bring back the RTI application when the PIO or APIO returned, however they never came back.

In view of the above facts and circumstances of the case, he requested the Commission to look into the reason and facts stated and to consider and not imposing any penalty on him.

The Respondent PIO also stated the difficulties in communication in Baghmara and requested the Commission to consider these difficulties.

After perusing the written submission and hearing the verbal submission of the Respondent-PIO the Commission asked the PIO whether he had received the RTI application. The PIO replied 'No'. The Commission handed over the

Xeroxed copy of the RTI application to the PIO in the presence of the applicant which had recorded the receipt in the office of the D.H.O.

On seeing the documents the PIO prayed before the Commission that he will provide the information within 30 days.

The Commission accepted that the difficulties of communication and processing information in Baghmara were difficult and hence the Respondent would be given the opportunity to amend his failure to provide information.

The Commission directed the Respondent PIO, Shri Rathindra Marak, District Horticulture Officer, Baghmara to furnish the information as early as possible and to give it free of cost since the PIO has already been delayed in furnishing the information.

The Commission further informed the Respondent that the quantum of penalty would depend on the number of days he took to give the information to the complainant. The longer he took, the higher the penalty would be and the number of days would be calculated from the date of this order and the final order on the quantum of penalty shall be made after the compliance report is received.

The Commission shall be informed of compliance as soon as it is done showing the acknowledgment of receipt of the information by the complainant.

The Commission further directed the PIO to issue clear instruction to his office staff that RTI application need not be submitted personally to the PIO or the APIO but can be submitted to any official in the concerned office.

The Commission directed the PIO to issue office instruction toward this purpose and clearly identify who should receive such application in future so that applicants under the RTI Act should not have to come twice or a number of time to submit such applications.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No.MIC/Complaint/16/2018/7

Md Zamal Prodhani, Bhaibari, West Garo Hills - Appellant

- Vrs -

PIO & District Mission Coordinator, SSA, West Garo Hills - Respondents

16.10.2018

O R D E R

Case records put up today.

The hearing scheduled to be held on 11-10-2018 was adjourned to 16-10-2018.

The Complainant, Shri Md. Zamal Prodhani of Bhaibari, West Garo Hills is absent.

The Respondent-PIO & District Mission Coordinator, Sarva Shiksha Abhiyan (SSA), West Garo Hills, Tura, Shri B.G.Momin is present.

The brief of the case is that:-

- (i) The Complainant had filed an application for information under the RTI Act, 2005, dated 22.6.2018 to the PIO, D.C. office, West Garo Hills, Tura on 7(seven) items in connection with Sarva Shiksha Abhiyan (SSA).
- (ii) The PIO i/c RTI Cell, West Garo Hills, Tura vide letter No. TGC.20/RTI/2010/PT.3/73 dated **25th June, 2018** transferred the application to the District Mission Coordinator, SSA, West Garo Hills, Tura to furnish the information directly to the applicant.
- (iii) The Complainant on **26th July, 2018** filed an appeal to the PIO, D.C. office, West Garo Hills, Tura when he did not receive the information.
- (iv) The RTI Officer, D.C. office, West Garo Hills, Tura vide letter No. TGC.20/RTI/2010/PT.3/96 dated **27th July, 2018** again forwarded the application to the District Mission Coordinator, SSA, West Garo Hills. Tura to furnish the information.
- (v) However, no information nor any communication was received from the D.M.C., SSA, Tura.

Hence a complaint before the Commission.

The Commission on **17th September, 2018** issued a notice to the PIO & D.M.C., SSA, West Garo Hills, Tura to show cause as to why the information sought for should not be provided to the Complainant and why penalty according to the Law should not be awarded to him for failure to provide the information in time and had

fixed **11th October, 2018 at 11:30 AM** for reply to the show cause and for hearing in the case. The hearing had been adjourned to **16-10-2018 at 11:30 AM**.

The Respondent-PIO & District Mission Coordinator, SSA, West Garo Hills, Tura, Shri B.G.Momin in his written submission stated that :-

- (1) The present Jt. Director of School Education & Literacy, West Garo Hills, Tura had joined the post only on **10-9-2018** vide Order No.EDN,19/2004/Pt./100 Dt. 29-8-2018 accordingly.
- (2) After joining the present Jt. Director of School Education & Literacy and District Mission Coordinator (DMC), SSA, West Garo Hills, Tura had issued a letter to Shri Sayad Hussain, Headmaster GBR SSA U.P. School, directing him to submit the documents sought for by the complainant, Md Zamal Prodhani, enclosing the xerox copy of the application. The concerned Headmaster of the School had however not supplied the documents.
- (3) The predecessor of the present DMC, SSA, West Garo Hills, Tura, Smti S.B.Marak, MCS, ADC & DMC, SSA, West Garo Hills, Tura had also issued a letter to the Jt. District Mission Coordinator, SSA, West Garo Hills, Dadenggre vide letter No. SSA/WGH/RTI/2/2017/184 **Dt. 18th July, 2018**, requesting him/her to supply the necessary reply as sought for under RTI Act, 2005, but he failed to supply all details.; Only the registration sheet for induction of teachers in training for L.P. School and U.P. School was supplied.
- (4) Earlier also the Jt. D.M.C., SSA, Dadenggre, West Garo Hills, Smti E.B. Laskar, vide letter No.Jt.DMC-D/SSA/RTI/2018/524 **Dt.1-8-2018**, issued a letter to the Headmaster/Ex-officio member Convenor, GBR, SSA U.P.School, Gandipara, West Garo Hills, but the concerned Headmaster-cum-Convenor had refused to supply the information as sought for.

The Respondent submitted that the Commission would be kind enough to consider the facts presented and to exonerate the Responded and not to penalise him for the reasons given.

During the hearing the PIO & District Mission Coordinator, Sarva Shiksha Abhiyan (SSA), West Garo Hills, Tura, Shri B.G.Momin informed the Commission that he had written to the Complainant on **12th October, 2018** informing the Complainant to collect the documents from the office of the DMC, SSA, West Garo Hills, Tura on payment of photo copying cost during office ours.

Further, the PIO & Jt. Director of School Education & Literacy, Tura & District Mission Coordinator, Sarva Shiksha Abhiyan (SSA), West Garo Hills, Tura, Shri B.G.Momin has joined only about one month ago as DMC, SSA, West Garo Hills, Tura.

He had asked the Headmaster/Ex-officio member Convenor, GBR, SSA U.P.School, Gandipara, West Garo Hills, and the Headmaster had provided the information on **12th October, 2018** to the PIO & DMC, SSA, West Garo Hills, Tura and the PIO had written to the Complainant on the same day informing him to collect the information. Only information in respect of item No.1 still lacking.

The Commission made the following observation:

- (A) There has been a delay in providing the information as seen from the records and it is apparent that the Headmaster of the School has been largely responsible for this delay.
- (B) The Respondent had joined recently and it was only after receiving the show cause notice that he was aware of the pending case and had taken immediate action to obtain the information from the Headmaster by his letter dated 5th October, 2018.

The Commission after considering the matter makes the following order:

- (i) The Respondent PIO, Shri B.G.Monin shall obtain the remaining information immediately from the Block Mission Coordinator, Selsella Block.
- (ii) The Respondent-PIO & District Mission Coordinator, Sarva Shiksha Abhiyan (SSA), West Garo Hills, Tura, Shri B.G.Momin is advised to take strong disciplinary action against the Headmaster of the School for failing to provide the information. This action shall be done within one month from today and a report shall be sent to the Commission.
- (iii) The information, which has been kept ready and all further information obtained later in this case, shall be provided to the complainant free of cost without any charge.
- (iv) It is also noted that the Jt. D.M.C., SSA, Dadenggre, West Garo Hills had failed to provide accurate information to the DMC & Jt. Director, School Education & Literacy, Tura for which the PIO shall send a report to the Head of Department with a recommendation for appropriate action against the Jt. D.M.C., SSA, Dadenggre, West Garo Hills for failure to provide complete and accurate information.

- (v) The Jt. Director of School Education & Literacy, Tura and District Mission Coordinator, SSA, West Garo Hills, Tura shall issue strict instruction to all concerned staff that matters relating to RTI should not be delayed and should be immediately put up to concerned authorities for decision so as to facilitate quick and early disposal.
- (vi) Report of all action taken shall be sent to the Commission by **15th November, 2018.**

-Sd/-
(P.B.O.Warjri)
C.I.C.

No.MIC/Complaint/15/2018/6

Shri Arwish C Marak, Balsrigitim, Williamnagar - Complainant

- Vrs -

1. PIO & Inspector of Housing, East Garo Hills, Williamnagar - Respondents
2. PIO & Asstt., Director of Housing, Shillong, Meghalaya

16.10.2018

O R D E R

Case records put up today.

The hearing scheduled to be held on 11-10-2018 was adjourned to 16-10-2018.

The Complainant, Shri Arwish C Marak of Balsrigitim, Williamnagar is absent.

The Respondent-PIO & Inspector, Housing, East Garo Hills, Williamnagar, Shri Marcel Thabah is present.

The Respondent-PIO & Assistant Director, Housing, Meghalaya, Shillong, Shri F.Kharshiing is present.

The brief of the case is that:-

- (1) The Complainant, had filed an application dated 18.6.2018 for information under the RTI Act, 2005 to the Deputy Commissioner, East Garo Hills District who forwarded the same to the Inspector of Housing, East Garo Hills, Williamnagar.
- (2) The Inspector of Housing, East Garo Hills, Williamnagar sent a letter to the complainant vide letter No.EGH/HS.4/2006/Pt/59 dt. 6-7- 2018, with an instruction to seek the information from the PIO & Assistant Director, Housing, Shillong as the same was not available in his office.
- (3) The Complainant alleged that no information nor any communication was given to him.

Hence, a complaint before the Commission.

- (4) The Commission on **17th September, 2018** issued a notice to the Respondent-PIO No. 1, Inspector, Housing, Williamnagar, & Respondent-PIO No.2, Assistant Director, Housing, Meghalaya, Shillong to show cause as to why the information sought for should not be provided to the Complainant and why penalty according to the Law should not be awarded to them for failure to provide the information in time and fixed 11th October, 2018 at 12:30 PM for reply of the show cause and hearing the case.

The Respondent-PIO & Assistant Director, Housing, Meghalaya, Shillong in his written submission stated that :-

1. The office of the Director of Housing Meghalaya, Shillong, as the Appellate Authority of the Housing Directorate had never received any communication on the RTI application of the complainant, Shri Arwish C Marak of Balsgritim, Williamnagar.
2. It was on the 29th August, 2018, that his office received an appeal from the complainant along with relevant papers with a request that information as per his RTI application be furnished to him.
3. On receipt of the appeal the office had written to the complainant vide letter No.DH/RIA/12/2005/Pt.I/229 Dated 4-9-2018 informing him of the financial involvement in Xeroxing the required documents to be furnished, and it was sent to him on the 5th September, 2018 by Indian post vide receipt dated 5-9-2018.
4. The complainant deposited the required amount on 21st September, 2018 and the same was deposited in the Government Account vide Treasury Challan No. 45040 dated 21-9-2018 and on the 24-9-2018 the complainant was informed over phone to come and collect the information.
5. On the 25th September, 2018, the complainant has sent his brother Shri Janjing Marak to receive the information and the same was handed over on 25-9-2018.
6. There has been failure on the part of the Respondent No. 2 in providing information to the petitioner/complainant as per provision of RTI Act and the Rules framed there under as he has already collected the information/papers from his office.
7. In view of the above facts submitted he requested the Commission to drop the proceedings drawn up vide letter No. MIC/Complaint/15/2018/5 dated 17-9-2018.

The Respondent-PIO & Inspector Housing, Williamnagar & Resubelpara, Meghalaya, in his written submission stated that :-

1. His office received the application under RTI addressed to the Deputy Commissioner (Housing) Willimanagar, East Garo Hills, dated 18-6-2018 from Shri Arwish C Marak, on 19-6-2018.
2. On receiving the above RTI application he immediately put up the same to the ADC of Housing on that very same day i.e. 19-6-2018 (as it was addressed to the D.C. (Housing)) who then in turn noted that the Inspector of Housing, Williamnagar should reply being the PIO.

3. After received the above order, on that very day he endorsed the application to the Junior Engineer as the information sought pertains to the work he was dealing with and had marked “JE immediately” on the applicant’s letter.
4. The information sought for was not available in his office at Williamnagar, and so he had asked the applicant via letter No.EGH/HS.4/2006/Pt/59 dt Williamnagar 6-7-2018 to collect the information from the PIO & Assistant Director of Housing the reason being that were it to be sent by post it would have taken more than two weeks to reach Shillong as it normally did due to nonexistence of speed post, which had been introduced very recently.
5. He came to know about the delay of the letter sent to the applicant only upon receiving the show cause letter from the Commission. Upon enquiring it was found **that his dispatcher had inadvertently forgotten to hand it over to the applicant and that it was not intentional.**
6. The above delay occurred not because he had any bad intention but rather his own mistakes through oversight and his lapse in not pursuing the matter more meticulously as he should have.
7. This process is a learning experience for him and he blamed himself and he assured that such incident would not ever happened again. He therefore, requested the Commission to accept his apology and to drop the proceedings drawn up against him.

During the hearing the Commission noted that the delay occurred mainly because the dispatcher failed to deliver or send the letter dated 6th July, 2018 to the applicant and found that the dispatcher was obviously at fault. On hearing this opinion the Respondent PIO & Inspector of Housing, Williamnagar immediately stated that the fault was equally his as he did not follow up with the dispatcher.

The Respondent PIO & Inspector of Housing, Willimnagar, Shri M. Thabah, was very genuinely repentant that he had failed and was not willing to shift the blame to anyone. He was also very quick and responsive to all questions displaying a willingness to correct his own fault and to answer every question of the Commission with clarity.

The Commission is impressed with the honesty, evident integrity and character of the Respondent PIO & Inspector of Housing, Williamnagar and his very positive attitude.

The Commission after hearing his verbal and written submission and considering his very positive attitude and disposal imposed a penalty Rs.100/- only on Shri Marcel Thabah, PIO & Housing Inspector, Williamnagar & Resubelpara, for his delay in sending the RTI information to the applicant. **This shall not be taken as a negative remark on his dossier. Rather his positive reaction should be reflected in his record.**

He is required to deposit the penal amount by Treasury Challan to the State Bank of India at Williamnagar under the Head of Account **“0070-Other Administrative Services etc., 60-Other Services, 118-Receipt under the Right to Information Act, 2005 Volume – I under:- (02) Fees & Fines for the Penalty Amount Imposed by the Commission”** within the period of 30 days from the date of this Order and to send confirmation to this Commission immediately on such deposit having been made.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No.MIC/General/5/2016/

Shri E.S. Hynniewta, Pdeng Shnong Sohra - Complainant
- Vrs -
PIO & SDSEO, East Khasi Hills District, Shillong - Respondent

23.10.2018

O R D E R

The petitioner, Shri E.S. Hynniewta filed an RTI application dated **14th July, 2016** to the PIO & District School Education Officer, East Khasi Hills District, Shillong requesting the following information:-

- (1) What is the name of the Secondary School Laitmawsiang (Sohra)?
- (2) When was the Secondary School was inaugurated who was present at the time?
- (3) Is this a Government recognized School?
- (4) How many teachers are there in this Secondary School?
- (5) From which source does the Secondary School pay the salaries to the teachers?
- (6) Does the Secondary School receives any Grant from the Govt. If yes please provide information in detail?
- (7) Have the Secondary School management implement the Mid Day Meal Programme?
- (8) Who is the management of this Institution?
- (9) How many members of the Secondary School Managing Committee has? Give the specific name?
- (10) What is the qualification to the post of Principal? Does it need an experienced teacher?
- (11) What is the required age to the post of Principal?

The Headmaster, Village Dorbar Secondary School, Laitmawsiang, Sohra, Shri R.Tding, on **29th July, 2016** in his reply stated that:-

- (i) Whereas our school is purely a private school
- (ii) Whereas our school has not registered to the Govt.
- (iii) Whereas our school does not receive any form of Grant from the Govt. either directly or indirectly
- (iv) Whereas our school is self managed, self controlled and is not under any Public Authority of the Govt.

The PIO & District School Education Officer, East Khasi Hills District, Smti P.Lyngdoh, vide letter No.DSEO/RTI/Misc/2015/8901 Dated **1st August, 2016**, forwarded in original the reply of the Headmaster, Village Dorbar Secondary School, Laitmawsiang, Sohra, Shri R.Tding to the applicant Shri E.S. Hynniewta.

On **19th February, 2018**, i.e. after 2 (two) years, Shri E.S. Hynniewta again filed an RTI application before the PIO & Deputy Director of School Education & Literacy, Shillong, on the same information filed before the PIO & District School Education Officer, East Khasi Hills District, Shillong application dated **14th July, 2016**.

On **19th March, 2018**, the Secretary, Meghalaya State Information Commission, vide letter MIC/General/05/2016/92, forwarded the memo copy of the RTI application dated **19th February, 2018** submitted by Shri E.S.Hynniewta to the PIO & Deputy Director of School Education & Literacy, Shillong, regarding **Mid Day Meal Scheme** implemented by the Govt. in the Village Dorbar U.P. School, Laitmawsiang, Sohra, with a direction to instruct the PIO & District School Education Officer, East Khasi Hills District to furnish the reply/information to the applicant if the said School received any Govt. funds/Mid Day Meal Scheme, within 20-3-2018 without fail with a copy to the Commission.

On **22nd March, 2018**, the First Appellate Authority & Director of School Education & Literacy, Shillong, vide letter No.DSEL/ABP/MDM/6/2018/7 addressed to the Sub-Divisional School Education Officer, East Khasi Hills District, and with reference to No.MIC/General/05/2016/92 dt. 15-3-2018 from Secretary of the Meghalaya State Information Commission, Shillong directed the S.D.S.E.O., East Khasi Hill District to furnish the required information on RTI regarding implementation of Mid Day Meal Scheme in the Village Dorbar U.P. School, Laitmawsiang, Sohra as required by Shri E.S. Hynniewta.

On **29th March, 2018**, the Sub-Divisional School Education Officer, Sohra, Smti I.Sohtun, vide letter No. SDSEO/SSD/RTI/11/940-43, replied to the applicant that:-

- (i) Yes, MDM Scheme is implemented at the Upper Primary level, i.e. from Class VI – VIII
- (ii) Further details regarding Secondary Schools cannot be provided as it does not fall under the jurisdiction of the undersigned.

On **27th April, 2018**, Shri E.S. Hynniewta wrote a letter to the District School Education Officer, East Khasi Hills District under the subject – A demand letter to withdraw the letter No.DSEO/Complaints/2014/5245 Dt. 22nd June, 2015.

On **30th April, 2018**, the SDSEO, East Khasi Hills District, Sohra, Smti I.Sohtun in her reply furnished the following:-

- (i) Details regarding MDM Scheme implemented by the Govt. in the Village Dorbar U.P. School, Laitmawsiang, Sohra during the year 2013 - 2016.
- (ii) Regarding Authorisation of Passbook A/c No.11861830156 details can be obtained from the concerned School and Bank concerned.
- (iii) The Cook Helper during Shri H.Khongsit whose salary is fixed at Rs.1000/- per month.

On **19th June 2018**, the Commission asked him to appear before the Commission on **26-6-2018** to explain what exactly he wants as per RTI filed on the **14th July, 2016**.

On **10th July, 2018**, the Commission vide letter No.MIC//General/05/2016/102, requested the PIO & Deputy Director of School Education & Literacy, Shillong to let the Commission know whether the Village Dorbar U.P. School, Laitmawsiang, Sohra received any public fund including MLA scheme in the form of :

- (i) School Grant (for teacher) or
- (ii) School Grants (for Building) SSA Scheme, or
- (iii) Maintenance grants (for repairs) or
- (iv) Welfare scheme like Latrine/Toilet/Water Tank etc. or
- (v) Kitchen Shed (SSA) or
- (vi) Sports materials etc.

On **27th August, 2018**, the SDSEO, Sohra, Smti I.Sohtun, vide letter No.SDSEO/SSD/RTI/2011/1277, in reply to the Commission's request dated **10-7-2018**, furnished information with enclosures received from the Block Mission Coordinator 12-Shillong Laitkroh Block regarding the Village Dorbar U.P. School, Laitmawsiang, Sohra.

The Commission after examining all the documents submitted by concerned parties found that, Village Dorbar Upper Primary School, Laitmawsiang, is receiving regular funds from the Govt., it is therefore Public Authority.

The Headmaster of the “Village Dorbar Upper Secondary School, Laitmawsiang, Sohra” in his letter dated **29-7-2016**, stated that the School does not receive any form of grants. This contradicts the letter submitted by the SDSEO, Sohra, Smti I.Sohtun, vide letter **No.SDSEO/SSD/RTI/2011/1277 Dated 27th August, 2018**, which gives information about funds received by the “Village Dorbar Upper Primay School, Laitmawsiang, Sohra”. However it is not clear if the two references are to the same School. It is necessary to confirm if these references are in respect of the same School and if so, why are there different names.

In view of the above, the Sub-Divisional School Education Officer, Sohra, Smti I.Sohtun and the applicant Shri E.S. Hynniewta are directed to appear before the Commission for hearing. The SDSEO, Sohra should bring all documents to clarify the questions raised in the preceding paragraphs

Fix **6th November, 2018 at 12:00 Noon** for hearing.

-Sd/-
(**P.B.O.Warjri**)
C.I.C.

No. MIC/Complaint/19/2018/16

Smti Aneeta Synrem, Polo Hills, Shillong

- Complainant

-Vrs-

1. FAA & District School Education Officer, East Khasi Hills, Shillong
2. PIO & Headmaster, Gandhi Buniyadi Secondary School,
Pynthorumkhrah } Respondents

26.10.2018

ORDER

Case records put up today. The Complaint was made by Complainant after the failure of the Respondent No.2 to respond adequately to the decision of the First Appellate Authority.

The Complainant, Smti Aneeta Synrem is present. Respondent No.1, who is the First Appellate Authority & District School Education Officer, East Khasi Hills District, Smti R.M.Pariat, has informed the Commission that she will not be able to attend the hearing as she has committed herself to be the guest of honour at a school programme and has requested leave of absence.

Respondent No.2, who is PIO & Headmaster, Gandhi Buniyadi Secondary School, Pynthorumkhrah, Shillong, Shri V.N. Pandit has submitted advance copy reply of the show cause and also informed the Commission that he is unwell and unable to attend prayed that the Commission -fix another date.

The Commission decided to proceed without the Respondents and take interim decisions, as required, on matters which require clear and early direction from the Commission. However, on other matters raised in the replies to the show cause notices, the Commission reserves its decision until adequate opportunity is given to the Complainant and Respondents to be heard.

The brief of the case is that:-

- (i) The complainant had filed an RTI application to the PIO & Headmaster, Gandhi Buniyadi Secondary School, Pynthorumkhrah, Shillong dt. **20-3-2018**.
- (ii) The PIO in his reply to the complainant vide letter No.GBS/HM/RTI/2018-19/01 dt. **4-4-2018**, informed her that the information sought for relates to a

period which is more than 20 years and he is not mandated to furnish the information (as per section 8(3) of the RTI Act, 2005).

- (iii) On being aggrieved the complainant preferred an appeal dated **16-4-2018**, before the First Appellate Authority & District School Education Officer, East Khasi Hills District.
- (iv) The FAA & District School Education Officer, East Khasi Hills District on **22-5-2018** conducted a hearing. In the hearing the PIO informed that he had just recently taken charge of the post of Headmaster of the School and efforts had been made to trace the records but most of the records relating to the information requested by the Appellant are not available. After careful examination of the records and statement of the PIO, the FAA directed the PIO to provide whatever records/information available to the Appellant within 10 days and fixed **1st June, 2018** for compliance.
- (v) The PIO & Headmaster, Gandhi Buniyadi Secondary School, Pynthorumkhrah, Shillong, Shri V.N. Pandit, in compliance to the order of the FAA & District School Education Officer, East Khasi Hills District dt. **22-5-2018**, wrote to the applicant/Complainant vide his letter No. No.GBS/HM/RTI/2018-19/03 dt. **24-5-2018** in which he:
 - (1) Provided photo copies of the S.S.L.C., Private Selection Tests Mark Sheets of the years 1992 to 1997 to the Complainant.
 - (2) Asked the Complainant to pay Rs.250/- (Rupees two hundred fifty) as photo copying charges for 48 pages.
- (vi) The complainant, not satisfied with the information furnished by the PIO, on **12-6-2018** preferred an Appeal dated 12-06-18 before the FAA & District School Education Officer, East Khasi Hills District on the following points:-
 - (a) Though the Respondent, PIO & Headmaster Gandhi Buniyadi Secondary School, Pynthorumkhrah, Shillong, Shri V.N. Pandit, had furnished Information in response to the orders of the FAA, dated 22-05-18, the information was incompleated as it did not contain information relating to students appearing in the selection test in years 1990 and 1991.
 - (b) For 48 pages of photo copies the PIO had asked her to pay fees of Rs.250/- She submitted that this amount was exorbitant as the prescribed fee for photocopies was Rs.2 per page and the total should be Rs.96/- only.

- (c) Information should be given free of cost as per section 7(6) of the RTI Act as the Respondent-PIO had already delayed furnishing the information.
- (d) The PIO has acted casually in entertaining the RTI application and in providing the reply and that this amounted to an attempt to harass the applicant/appellant.
- (vii) The Complainant, on failing to get a response from the FAA to her appeal dated 12.6.2018, sent a complaint to the Commission dated 1.10.2018 (and received on 5.10.2018 in the Commission) stating her grievances stated in the paragraph above.
- (viii) The Commission admitted the complaint and issued a show cause to the PIO and Respondent No.2 on 10.10.2018 asking him to give reason why complete information as sought by the applicant/complainant should not be provided and to give reason why Rs.250/- was charged for documents of 48 pages and to show cause why penalty should not be awarded to him for his failure to provide the information within the prescribed time. A copy of the show cause was also endorsed to the FAA.
- (ix) In response to the Commission's show cause to the PIO & Respondent No.2, Respondent No.1 had also sent a response vide her letter No. DSEO/RTI/Misc/2017/17785 dated 23.10.2018 stating that the FAA had admitted the initial appeal and a decision had been taken on 22.5.2018. She further stated that the appellant/complainant has preferred a second appeal on 12.6.2018 and that as per sub section 3 of section 19 the second appeal should not be made to the first appellate authority.
- (x) In response to the Commission's show cause notice the PIO and Headmaster Gandhi Buniyadi Secondary School, who is Respondent No.2 had replied on 24.10.2018 that:
- (a) The complainant had made a first appeal to the FAA on 10.4.2018 and therefore the second appeal made on 12.6.2018 is not maintainable as the second appeal should not lie with the First Appellate Authority.
- (b) The allegation from the Complainant that the information with regard to students appearing in the selection test from the school in 1990 and 1991 was not furnished, is false, baseless, mischievous and malicious as the school was not even a centre for such selection test in the year 1990 and

1991, and so the allegation is preposterous and leveled with the motive to harass the PIO and Respondent No.2.

- (c) The allegation of overcharging for 48 copies is not true as the Complainant has not paid the said fee and so the allegation for overcharging is not tenable.
- (d) The PIO and Respondent No.2 has furnished all the information sought by the Complainant and that no information was denied and hence the allegations of furnishing incomplete information and overcharging are false and baseless.

The PIO and Respondent No.2 further pleaded to the Commission for dismissal of the complaint.

EXAMINATION OF THE COMMISSION

The Commission examined the documents made available and heard the Complainant who was present. It is seen that the Complainant has made a complaint under section 18(1)(b), 18(1)(c), 18(1)(d) and 18 (1)(e) of the Act stating that the PIO & Headmaster, Gandhi Buniyadi Secondary School, Pynthorumkrah, Shillong, had in his letter dated 4-4-2018 claimed that it is not mandatory to provide information for events which had taken place more than 20 years and had cited section 8(3) of the RTI Act as the reason for such refusal.

The Commission examined the points and noted that Sub-section 3 of Section 8 states that information relating to any matter which takes place more than 20 years before the date of request should normally be provided (with certain exceptions specified in the said sub-section) to any person making the request though that information would have otherwise been exempted from disclosure under section 8 of the Act had it been below 20 years. This section therefore clearly makes it mandatory to the PIO to provide the information which is more than 20 years old and refusal could only be done if the subject requested fell under the clauses (a) (c) and (i) of sub-section (1) of section 8 of the RTI Act.

DECISIONS OF THE COMMISSION

Decision No.1

Respondent No. 2 has misinterpreted sub-section 3 of Section 8 of the RTI Act which sub-section actually loosens many of the exemptions from disclosure specified in section 8(1). Information for events of more than 20 years should therefore be provided unless the

information related to a subject which fell under clauses (a) (b) & (i) of sub-section (1) of Section 8.

Decision No. 2

The Complainant complained that Respondent No. 2 in his letter No.GBSS/HM/RTI/2018-19/03 dated 29-5-2018 had given incomplete information as it did not include information relating to 1990 and 1991.

Respondent No. 2 in his show cause reply stated that the school was not a Centre of Selection Test in the years 1990 and 1991 and hence the school did not have any information for the years 1990 and 1991.

The Commission notes that this clarification by the PIO and Respondent No. 2 was not given in the reply made to the complainant in the said letter. The PIO's letter was silent in respect of the years 1990 and 1991. Respondent No. 2 and PIO should have stated this reason in his reply to the RTI request as it is integral to the relevant information requested for in the application.

The PIO has therefore failed to give a clear and comprehensive reply.

Decision No. 3

The Complainant has also made a complaint that she has been charged Rs.250/- being the fees for photo copying the documents.

The Complainant further states that since information was given only after the 30 days time period and after the order of the FAA, charging of such fees is no longer admissible under section 7(6).

The Commission agrees with the submission of the Complainant with regard to the application of Section 7(6).

The order of the FAA dated 22-5-2018 is hereby accordingly modified and further clarified in respect of this charge of Rs.250/-. The PIO shall provide all the information free of charge.

Decision No. 4

The Complainant also complained that her first appeal dated 12-6-18 was not disposed of by the FAA & DSEO, East Khasi Hills District within the prescribed time.

The FAA shall furnish the date on which the first appeal was received in the office of the FAA, by 14th November, 2018.

Decision No. 5

The Respondent No. 2 and Headmaster of the School had in his show cause reply objected that second appeal cannot be made to the FAA and that the FAA had already passed an order on 22-5-2018 in respect of the appeal dated 16-4-2018.

It is noted that the complainant had made an appeal, for the second time on 12-6-2018 to the FAA on the following points:

- (1) That the Respondent No. 2 had not complied with the order of the FAA as the Respondent No. 2 had not provided complete information, the reply being silent about the years 1990 and 1991.
- (2) That the Respondent No. 2 had asked for a payment of Rs.250'- as fees for photo copying charges and that this was above the permissible charges as prescribed in Rule 4(1)(a) of the RTI (Regulation of Fee and Cost) Amendment Rules 2006.
- (3) That no fees should be charged from the applicant as prescribed in section 7(6) of the RTI Act.
- (4) That the Respondent No. 2 has treated the RTI application in a casual manner and that this amounted to harassment of the applicant.
- (5) That the casual approach of the Respondent No. 2 continued even after the FAA's order of 22-5-2018.

The FAA in her reply dated 23-10-2018 to the Commission states that in her opinion it is a second appeal and should not lie with the First Appellate Authority.

The Commission has examined this issue and notes that the RTI Act has been consciously designed to facilitate the flow of information to citizens with the minimum hindrance. As a part of this design officers senior to PIOs have been appointed as Departmental Appellate Authorities as they would have the authority to ensure that the provisions of the RTI Act are carried out by the PIO's who are subordinate to them. The objective of the Act is to ensure that information is provided quickly and furnished promptly without having to go through numerous encumbering legal procedures. The RTI Act seeks to provide eligible information without delay to bonafide information seekers.

The Commission examined these contentions and notes that the complainant in her appeal dated 12-6-18, did not raise any question disputing the order of the FAA. The complainant pointed out to the FAA that the FAA's orders were not being carried out by the Respondent No. 2. As there is no dispute on any point of the FAA's order of 22-5-18, the appeal of 12-6-2018 is therefore not in the nature of an appeal against the order of the FAA and but rather a complaint that the FAA's order had not been complied with by the PIO. The Complainant's appeal of 12/06/2018 is therefore merely a continuation of the first appeal. It would not qualify as an appeal under Sec 19 (3) to the Commission as she accepts the decision of the FAA and does not question the orders of the FAA.

It would have been therefore appropriate for the FAA not to treat it as a complaint even though it is applied as an appeal and rather to ensure that her orders are carried out.

The FAA and District School Education Officer, East Khasi Hills District shall therefore take steps to ensure that her decision is implemented by the PIO in letter and spirit.

ISSUES FOR FURTHER EXAMINATION AND APPROPRIATE ORDERS

The PIO and Respondent No. 2 in his written statement has alleged that the complainant's contention before the Commission that the information in respect of students who appear in selection test in 1990 and 1991 was not furnished to her is false, baseless, mischievous and malicious as the school was not a centre for selection test in 1990 and 1991, and he further stated that the allegation was leveled with the sole motive to harass the PIO.

While it is the Commission's duty to facilitate free flow of appropriate information to citizens, it is also the duty of the Commission to protect PIOs from any undue harassment by any information seeker.

The Commission noted that the Respondent PIO in his letter dated 29-5-18, given in response to the FAA's order, had merely furnished copies of documents from 1992 to 1997 and was silent about the years 1990 and 1991. In the same letter he asked the applicant to pay a sum of Rs.250/- being the cost of photo copying. As no explanation was enclosed regarding the years 1990 and 1991, it is therefore natural for the complainant to come to the conclusion that the information provided by the PIO to her in his letter dated 29-5-2018 was incomplete.

Further hearing in this complaint case is necessary to determine the following:

- (i) If the actions of the Complainant were made with the intention to harass the PIO
- (ii) If the allegations of the Complainant, were false baseless and malicious in complaining to the FAA and later to the Commission, that the PIO had not furnished the information for the years 1990 and 1991 were false baseless and malicious.
- (iii) If the PIO had asked the Complainant to pay Rs.250/- as photocopying charges.
- (iv) If there was any delay on the part of the PIO in furnishing the information.

Fix **16th November 2018 at 11:30 AM** for further hearing.

The Complainant and the Respondent PIO & Headmaster, Gandhi Buniyadi Secondary School, shall be present. The FAA and District School Education Officer, East Khasi Hills, Shillong is not required to attend.

-Sd/-
(P.B.O.Warjri)
C.I.C.

No. MIC/Complaint/19/2018/

Smti Aneeta Synrem, Polo Hills, Shillong

- Complainant

-Vrs-

1. FAA & District School Education Officer, East Khasi Hills, Shillong
2. PIO & Headmaster, Gandhi Buniyadi Secondary School,
Pynthorumkhrah } Respondents

16.11.2018

ORDER

Case records put up today.

The Complainant, Smti Aneeta Synrem is present. Respondent No.2, PIO & Headmaster, Gandhi Buniyadi Secondary School, Pynthorumkhrah, Shillong, Shri V.N. Pandit is present.

The Commission fixed the hearing today to determine the following:

- (i) If the actions of the Complainant were made with the intention to harass the PIO
- (ii) If the allegations of the Complainant, were false baseless and malicious in complaining to the FAA and later to the Commission, that the PIO had not furnished the information for the years 1990 and 1991 were false baseless and malicious.
- (iii) If the PIO had asked the Complainant to pay Rs.250/- as photo copying charges.
- (iv) If there was any delay on the part of the PIO in furnishing the information.

The Respondent No. 2 was asked why he had delayed in giving the information to the application for information dated 20-3-2018. He replied that he could not give the information because it was old information and he could not find the record.

He also stated that since the records are above 20 years he believed that it was not required to provide the information. The Commission pointed out to him that information which is above 20 years has to be given all the more liberally and exceptions are only for subjects which fall under u/s 8 (1)(a)(c) & (i) of the RTI Act, 2005.

The Commission then asked the Respondent No. 2 why he had not given information to the applicant about non-availability of names of candidates and other records for the year 1990 and 1991. The Respondent stated that the school does not have information as the school was not a centre for the selection test in 1990 and 1991. He however could not give any convincing reason to the fact that he had not even stated that the School has no records of the years 1990 and 1991 in his reply dated 29-5-2018 to the application dated 20-3-2018. In attempting to justify his failure to mention these two years the PIO repeatedly stated that he was not familiar with the provision of the RTI Act and had failed to do so due to this ignorance.

The Commission pointed out that his reply to the show cause notice issued by the Commission on 10-10-2018 however reflected a very good understanding on the part of the PIO of the provisions and requirements of the various sections of the RTI Act and rules. His claim of not understanding the requirement of section 8 and sub-section 3 of the RTI Act are not supported by his display a good understanding of the Act as shown in his show cause reply dated 29-10-2018 in reply to the Commission's show cause notice dated 10-10-2018 and in his response dated 15-11-2018 submitted to the Commission in reply to the Commission's direction of 26-10-2018. These replies revealed substantial understanding of the RTI Act and Rules and contradict his claim of ignorance of this Act and Rules as the reason of his failure to understand Section 8 (3) correctly and to comply with it.

The Complainant in her complaint had stated that the PIO & Respondent No. 2 had not given complete information in his reply dated 29-5-2018 to her application for the reason that the reply contained no information relating to the years 1990 and 1991. The PIO and Respondent 2, in his reply dated 24-10-2018 to the show cause notice from the Commission dated 10-10-2018, stated that the allegation made by the complainant that he gave no information relating to the years 1990 and 1991 was false, baseless, mischievous and malicious on account of the fact that the school was not a centre for selection test in years 1990 and 1991. He had also contended that his allegation was preposterous and that was leveled with the sole motive to harass the PIO. The Commission showed to him the documents which show that the complaint on this point was made by the complainant on the basis of the PIO's letter dated 29-5-2018. This letter was issued by him in response to the order of the First Appellate Authority and in this letter he has given information relating to the mark sheets for the years 1992 to 1997 but remained silent about the years

1990 and 1991. The complainant had therefore based her allegations on this written reply dated 29-5-2018. When shown a copy of the letter dated 29-5-2018 the PIO admitted that the letter was his reply. The Commission pointed out to him that his contention of the complainant's allegation being baseless is unsustainable because the complainant has clearly made this complaint on the basis of the PIO's letter which failed to make any mention of the years 1990 and 1991 and which failed to give any reason at all for his inability to provide the information. His contention that the allegation made by the complainant is baseless, false, mischievous and malicious is therefore clearly an attempt to mislead the Commission. His failure to mention any reason in failing to give information pertaining to the years 1990 and 1991 further shows an absence of any intention on his part to be transparent and to comply with the provisions of the RTI Act.

The fact that he failed to mention the years 1990 and 1991 and about the unavailability of records for those years has made his reply of 29-5-2018 incomplete.

Further it is clear that the complaint made by the complainant against the PIO for not giving complete information was based on the PIO's written reply and this particular charge had documentary support and it can therefore not be preposterous. The PIO/Respondent No. 2 could also show no evidence to prove that the complaint made by the complainant was made with the intent to harass the PIO. These facts show that the complainant's charges are based on facts and that the allegations of the PIO against the complainant are the charges rather which are preposterous and show that it is the PIO who is attempting to bow beat the complainant.

The PIO was also asked the reason for charging of Rs.250/- from the complainant for the purpose of supplying xerox copies. This demand was clearly stated in the last paragraph of his reply dated 29-5-2018, the letter by which he had also provided incomplete information to the applicant. He stated that it was a mistake made by him as he was not familiar with RTI Act and Rules. The Commission asked him how he could claim to have made a mistake when he had further supported his demand of Rs.250/- by consciously enclosing a cash memo from the photocopying agency to the tune of Rs.250/-. It was also pointed out to him that section 7(6) of the RTI Act states that no such charges can be made if the information is not given in 30 days. The PIO could give no reasonable or convincing reply or explanation for his act, merely repeating that it was a mistake and he

did not know it as he was not familiar with the RTI Act. The enclosure of the cash memo can only lead the Commission to conclude that the PIO used this cash memo to further support his demand for the payment of Rs. 250/- (If he had given the information within the period of 30 days he would have been entitled under the Rule 4(a) of the RTI Rules 2012, to demand a payment of only Rs.96/- @ Rs.2/- per page for 48 pages, and therefore Rs.250/- was more than double of even this amount). It was again pointed out to him that his reply dated 24-10-2018 to the show cause from the Commission as well as reply dated 15-11-2018 to the directions of the Commission reflected a good knowledge and understanding of the RTI Act. The reason given by him i.e. his ignorance of RTI Act is therefore contradicted by the good knowledge displayed in the above stated two replies given by him. His statement reflected another attempt to hoodwink the Commission. His demand of Rs.250/- as photocopying charges can therefore only be seen as an attempt to harass the applicant/complainant.

The Commission therefore could not accept his claim of ignorance, as the two replies which he made to the Commission, the first dated 24-10-2018 and the second dated 15-11-2018 both reflected a very good understanding of the RTI Act. The replies to the question from the Commission repeatedly show that the PIO was attempting to mislead the Commission. He repeatedly claimed ignorance of the RTI Act and Rules while his detailed replies to the Commission dated 24-10-2018 and 15-11-2018 reflect an unusually good understanding of the RTI Act and Rules, an understanding which is rarely seen among other PIOs. Yet in spite of this he repeatedly claimed ignorance of the Act and Rules, attempting to justify his failure to supply information and his demand for payment of photocopying charges on this reason of his claimed ignorance.

The Commission cannot but come to the conclusion that the PIO, in spite of his failure to provide information, has till date shown no regret for his failure to provide information in time while repeatedly pinning his failure on his unsubstantiated claims of ignorance.

The Commission finds that the PIO/Respondent No.2 has failed to give information within the specified time. Even after the order of the First Appellate Authority he has knowingly given incomplete information. He has further sought to harass the applicant/complainant by demanding an unjustified payment of Rs.250/- as photocopying charges.

The Commission therefore has no other option but to penalise the PIO for the above acts of commission and omission and for continuously trying further to mislead the Commission.

The Commission has decided to imposed a penalty on the Respondent No. 2 & PIO for his failure to comply with the provisions of the Act. By the powers conferred on the Commission under section 20 of the RTI Act 2005 a Penalty of ₹10,000/- (Rupees ten thousand), @ ₹250/- (Rupees two hundred fifty) per day, 40 days w.e.f. 20-4-2018 being the date after the information would have become due, to 29-5-2018 the date of providing the information is hereby imposed on the Respondent & PIO and Headmaster Gandhi Buniyadi Secondary School, Pynthorumkhrah, Shillong, Shri V.N. Pandit. He is required to deposit the above amount by Treasury Challan 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 the period of 30 days from the date of this Order with intimation to this Commission.

-Sd/-
(P.B.O.Warjri)
C.I.C.

Chapter 6

Implementation of the Right to Information Act, 2005 in the State during 2018

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 are many Government Departments which are 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 2018 a total number of 2602 requests were received by the Public Information Officers of those public authorities who have so far furnished their reports. 9 numbers of requests were carried over from the previous year; hence the total number of requests available with the PIOs for disposal is 2611. Out of these, 2531 requests were disposed of by the PIOs during the year which is about 96.91 %. The remaining requests have been carried over to the next year for disposal. The total number of requests rejected and deemed to have refused by the

PIOs were 69 which is approximately about 3.09 % from the total number of requests received in the year 2018 by the PIOs.

7.2.1 Disposal of information requests by Public Information Officers/Public Authorities

Reporting Year: 2018

Sl. No	Name of Departmental 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: Sec. 7(2)	% of cases access to information denied
1	2	3	4	5	6	7	8	9
1	Agriculture							
	Secretariat Deptt.	1	0	1	0	0	1	100
	Directorate of Agriculture	0	12	12	12	0	0	0
	Directorate of Horticulture	0	2	2	2	0	0	0
	Meghalaya State Agricultural Marketing Board	0	0	0	0	0	0	0
2	Arts & Culture							
	Secretariat Dept.	0	5	5	5	0	0	0
	Directorate.of Arts & Culture	0	5	5	5	0	0	0
3	AH&Vety.							
	Secretariat Dept.	0	17	17	17	0	0	0
	Directorate.of AH&Vety.	0	17	17	17	0	0	0
4	Border Areas Development							
	SecretariatvDeptt	0	1	1	1	0	0	0
	Directorate of BAD	0	6	6	6	0	0	0
5	CM Secretariat							
	Secretariat Dept.	0	18	18	17	1	0	5.55
6	Cabinet Affairs							
	Secreatriat Deptt.	0	0	0	0	0	0	0
7	C & R D							
	Secretariat Deptt.	0	16	16	16	0	0	0
	Directorate of C & R D	0	8	8	8	0	0	0
	Project Director, East Khasi Hills, Shillong	0	3	3	3	0	0	0
	Project Director, West Khasi Hills, Nongstoin	0	2	2	2	0	0	0
	Project Director, Ribhoi District, Nongpoh	NA	NA	NA	NA	NA	NA	NA

	Project Director, West Jaintia Hills, Jowai	0	1	1	1	0	0	0
	Project Director, East Garo Hills, Williamnagar	0	0	0	0	0	0	0
	Project Director, South Garo Hills, Baghmara	0	2	2	2	0	0	0
	Project Director, West Garo Hills, Tura	NA	NA	NA	NA	NA	NA	NA
	Project Director South West Khasi Hills, Mawkyrwat	NA	NA	NA	NA	NA	NA	NA
	Project Director North Garo Hills, Resubelpara	0	2	2	2	0	0	0
	Project Director South West Garo Hills, Ampati	0	0	0	0	0	0	0
	Project Director East Jaintia Hills, Khliehriat	0	6	6	6	0	0	0
8	Cooperation							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Registrar of Cooperative Societies	0	4	4	4	0	0	0
	Meghalaya State Warehousing Corporation	0	0	0	0	0	0	0
	MECOFED Ltd.	0	0	0	0	0	0	0
	MSHF Cooperative Society Ltd.	0	0	0	0	0	0	0
	MSCU Ltd.	0	0	0	0	0	0	0
	The Meghalaya Cooperative Apex Bank Ltd.	0	2	2	2	0	0	0
	MEGHALOOM Ltd.	0	0	0	0	0	0	0
	Meghalaya Village Development & Promotion Tourism Cooperative Society Ltd.	0	0	0	0	0	0	0
9	District Council Affairs							

	Secretariat Deptt.	0	8	8	8	0	0	0
	KHADC	0	23	23	23	0	0	0
	JHADC	0	59	59	59	0	0	0
	GHADC	0	27	27	22	1	4	3.70
10	Education							
	Secretariat Deptt.	0	56	56	56	0	0	0
	DHTE	0	112	112	111	1	0	0.89
	DERT	0	12	12	12	0	0	0
	MBOSE	0	1	1	1	0	0	0
	DSEL	0	33	33	6	27	0	81.81
11	Elections							
	Secretariat Deptt.	0	19	19	19	0	0	0
	Deputy Commissioners	0	26	26	26	0	0	0
12	ERTS							
	Secretariat. Deptt.	0	2	2	2	0	0	0
	Commissioner of Taxes	0	18	18	18	0	0	0
	Commissioner of Excise	0	7	7	6	1	0	14.28
	Inspector General of Registration & Superintendent of Stamps	0	20	20	20	0	0	0
	Directorate of Meghalaya State Lottery	0	0	0	0	0	0	0
	Meghalaya Commission of Resource Mobilization	0	0	0	0	0	0	0
13	Finance							
	Directorate of Accounts & Treasuries	0	2	2	2	0	0	0
	Directorate of Local Accounts	NA	NA	NA	NA	NA	NA	NA
	Directorate of Small Savings	NA	NA	NA	NA	NA	NA	NA
	Directorate of Institutional Finance	0	0	0	0	0	0	0
	Finance (EC 1) Deptt.	0	0	0	0	0	0	0
	Finance (Economic Affairs) Deptt.	0	9	9	9	0	0	0
	Finance (PR) Department	0	3	3	3	0	0	0
	Finance (Establishment) Department	0	0	0	0	0	0	0
	Finance (AF)	0	1	1	1	0	0	0

	Finance (PC)							
	Directorate of Local Fund Audit	0	1	1	1	0	0	0
	Finance (Budget)	0	11	11	11	0	0	0
	Finance (EC II)	0	0	0	0	0	0	0
14	Food & Civil Supplies							
	Sectt. Deptt.	0	0	0	0	0	0	0
	Directorate of Food & Civil Supplies	0	37	37	36	0	1	2.70
	Meghalaya State Consumer Disputes Redressal Commission	0	0	0	0	0	0	0
15	Forest & Envir.							
	Secretariat Deptt.	0	5	5	5	0	0	0
	O/o PCCF & HoFF	0	27	27	27	0	0	0
	O/o Addl. PCCF (Social Forestry & Env.)	0	6	6	6	0	0	0
	O/o PCCF (CC, Research & Training)	0	2	2	2	0	0	0
	O/o PCCF (Territorial)	0	58	58	58	0	0	0
	O/o Addl. PCCF (WL & CWLW)	0	12	12	12	0	0	0
16	Fisheries							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Fisheries	0	5	5	5	0	0	0
17	GAD							
	Office Estate Officer	0	0	0	0	0	0	0
	Directorate of Sainik Welfare	0	0	0	0	0	0	0
	Zila Sainik Welfare	0	0	0	0	0	0	0
	GAD (B)	0	0	0	0	0	0	0
	GAD (A)	0	4	4	4	0	0	0
18	Home (Police)							
	Secretariat Deptt.	0	2	2		0	0	
	Director General of Police	0	515	515	515	0	0	0
19	Home Guards & Civil Defence							
	Secretariat Deptt.	0	4	4	4	0	0	0

	Directorate of Civil Defence & Home Guards	0	8	8	8	0	0	0
20	Home (Jails)							
	Secretariat Deptt.	0	13	13	13	0	0	0
	Director General of Prisons	0	38	38	38	0	0	0
21	Home (Passport)							
	Secretariat Deptt.	1	0	1	1	0	0	0
22	Health & F.W.							
	Secretariat Deptt.	0	9	9	9	0	0	0
	DHS (MI)	0	41	41	41	0	0	0
	DHS (MCH & FW)	0	15	15	15	0	0	0
	DHS (R)	0	5	5	5	0	0	0
23	Housing							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Housing	0	12	12	12	0	0	0
	Meghalaya State Housing Board	0	0	0	0	0	0	0
24	Commerce & Industries							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Commerce & Industries	0	19	19	19	0	0	0
	MIDC Ltd.	0	11	11	11	0	0	0
	MCCL	0	0	0	0	0	0	0
	MKVIB	0	0	0	0	0	0	0
	MHHDC Ltd.	0	0	0	0	0	0	0
	MBC Ltd.	0	0	0	0	0	0	0
	MEDC Ltd.	0	0	0	0	0	0	0
25	Information & Public Relations							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of IPR	0	3	3	3	0	0	0
26	Information Technology & Communication							
	Secretariat Deptt.	0	7	7	7	0	0	0
27	Law							
	Law (A)	0	15	15	15	0	0	0
	Law (B)	0	26	26	26	0	0	0
28	Labour							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Employment & Craftsmen Training	0	2	2	2	0	0	0
	Office of the							

	Administrative Medical Officer, Employees' State Insurance Scheme	0	0	0	0	0	0	0
	Chief Inspector of Boilers and Factories	0	8	8	6	0	0	25
	Labour Commissioner	0	7	7	7	0	0	0
	Commandant Meghalaya Civil Task Force	0	0	0	0	0	0	0
29	Mining & Geology							
	Secretariat Deptt.	0	6	6	6	0	0	0
	Directorate of Mineral Resources	0	17	17	17	0	0	0
30	Planning							
	Secretariat Deptt.	0	4	4	4	0	0	0
	Directorate of Programme Implementation & Evaluation Department	0	3	3	3	0	0	0
	Directorate of Economics & Statistics	0	2	2	2	0	0	0
	MEDC	0	0	0	0	0	0	0
	Bio - Resource Development Centre, Shillong	0	4	4	4	0	0	0
	State Council of Science & Technology & Environment, Shillong	0	1	1	1	0	0	0
	Shillong Science Centre, Shillong	0	0	0	0	0	0	0
	Meghalaya State Planning Board	0	0	0	0	0	0	0
	Meghalaya Resource & Employment Generation Council, Shillong	0	0	0	0	0	0	0
	Meghalaya Basin Development Authority	0	6	6	6	0	0	0
	Meghalaya Institute of Governance	0	4	4	4	0	0	0
	Meghalaya	0	0	0	0	0	0	0

	Institute of Entrepreneurship							
	Science & Technology Cell	0	0	0	0	0	0	0
	District Planning Officer	0	10	10	10	0	0	0
	Planning (Research)	0	0	0	0	0	0	0
31	Personnel							
	Personnel & AR (A)	0	19	19	19	0	0	0
	Personnel & AR (B)	0	6	6	6	0	0	0
	DC EK Hills, Shillong	1	77	78	72	0	6	7.69
	DC Ribhoi District	0	9	9	7	0	2	22.22
	DC West Jaintia Hills District, Jowai	0	12	12	11	0	1	8.33
	DC West Khasi Hills	0	5	5	5	0	0	0
	DC West Garo Hills, Tura	0	22	22	22	0	0	0
	DC East Garo Hills	0	18	18	18	0	0	0
	DC South Garo Hills	0	5	5	5	0	0	0
	MPSC	0	48	48	43	5	0	10.41
	Commissioner of Divisions Shillong	0	0	0	0	0	0	0
	Personnel AR (ARC) Deptt.	0	2	2	2	0	0	0
	MATI	0	0	0	0	0	0	0
	DC South West Khasi Hills District	0	5	5	5	0	0	0
	DC East Jaintia Hills District, Khliehriat	0	0	0	0	0	0	0
	DC North Garo Hills	0	0	0	0	0	0	0
	DC South West Garo Hills, Ampati	0	7	7	7	0	0	0
	Commissioner of Division, Tura	0	0	0	0	0	0	0
	SDO (C) Sohra	0	2	2	2	0	0	0
	SDO (C) Mairang	0	0	0	0	0	0	0
	SDO (C) Amlarem	0	0	0	0	0	0	0

	SDO (C) Dadenggre	0	0	0	0	0	0	0
	SDO (C) Raksamgre	0	0	0	0	0	0	0
	SDO (C) Mawshynrut	0	0	0	0	0	0	0
	SDO (C) Pynursla	0	2	2	2	0	0	0
	SDO (C) Chokpot	NA	NA	NA	NA	NA	NA	NA
	All India Service Pre-Examination Training Centre	0	0	0	0	0	0	0
32	Political							
	Secretariat Deptt.	0	7	7	7	0	0	0
33	PHE							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Chief Engineer	1	36	37	37	0	0	0
34	Power							
	Secretariat Deptt.	0	2	2	2	0	0	0
	MSERC	0	0	0	0	0	0	0
	MNREDA	0	3	3	3	0	0	0
	Senior Electrical Inspector, Inspectorate of Electricity, Shillong	0	6	6	6	0	0	0
	Meghalaya Power Distribution Corporation Limited	0	15	15	14	0	0	6.66
	Meghalaya Power Transmission Corporation Limited	0	8	8	8	0	0	0
	Meghalaya Power Generation Corporation Limited	0	11	11	11	0	0	0
	Meghalaya Energy Corporation Limited	0	25	25	25	0	0	0
35	Printing & Stationery							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Printing & Stationery	0	1	1	1	0	0	0

36	P.W.D.							
	Secretariat Deptt.	0	5	5	5	0	0	0
	CE PWD(R)	0	9	9	9	0	0	0
	CE PWD (NH)	0	86	86	86	0	0	0
	CE PWD (B)	0	1	1	1	0	0	0
	Meghalaya Govt. Construction Corporation Ltd.	0	2	2	1	0	0	50
37	Parliamentary Affairs							
	Secretariat Deptt.	0	8	8	8	0	0	0
38	Meghalaya Bharat Scouts & Guides	0	0	0	0	0	0	0
39	Revenue & Disaster Management							
	Secretariat Deptt.	0	10	10	10	0	0	0
	Meghalaya Board of Revenue	0	2	2	2	0	0	0
	Directorate of Land Records & Survey	0	6	6	6	0	0	0
40	SAD							
	SAD (A)	0	0	0	0	0	0	0
	SAD (E)	0	5	5	0	0	5	100
	SAD (N)	0	7	7	7	0	0	0
	SAD (R)	0	3	3	0	0	3	100
41	Sports & Youth Affairs							
	Secretariat Deptt.	0	3	3	3	0	0	0
	Directorate of Sports & YA	0	14	14	14	0	0	0
42	Social Welfare							
	Secretariat Deptt.	0	2	2	2	0	0	0
	Directorate of Social Welfare	0	24	24	24	0	0	0
	Meghalaya State Social Welfare Board	0	0	0	0	0	0	0
	State Commission for Women	0	2	2	2	0	0	0
	Commissioner for Person with Disabilities	0	6	6	6	0	0	0
	State Commission for Protection of Child Rights	1	10	11	11	0	0	0

	District Social Welfare Officer	0	0	0	0	0	0	0
	District Programme Officer ICDS Cell	0	2	2	2	0	0	0
	Child Welfare & Probation Officer I/c Observation Home (Boys)	0	0	0	0	0	0	0
	Superintendent Training for Self Employment of Women in need of Care & Protection	0	0	0	0	0	0	0
	Superintendent Observation Home (G) Shillong	0	0	0	0	0	0	0
43	Soil & Water Conservation							
	Secretariat Deptt.	0	6	6	6	0	0	0
	Directorate of Soil & Water	0	30	30	30	0	0	0
44	Department of Textiles							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Sericulture & Weaving, Department of Textiles	0	1	1	1	0	0	0
	District Sericulture Officer, Nongpoh	0	0	0	0	0	0	0
	District Handloom Officer, Jowai	0	0	0	0	0	0	0
45	Transport							
	Secretariat Deptt.	0	8	8	8	0	0	0
	Commissioner of Transport	0	23	23	23	0	0	0
	MTC	0	3	3	3	0	0	0
	Secretary State Transport Authority	0	11	11	11	0	0	0
	District Transport Officer & Regional Transport Authority	0	165	165	165	0	0	0
46	Tourism							

	Secretariat Deptt.	0	7	7	7	0	0	0
	Directorate of Tourism	0	15	15	15	0	0	0
	MTDC Ltd.	0	15	15	15	0	0	0
47	Urban Affairs							
	Secretariat Deptt.	0	2	2	2	0	0	0
	Directorate of Urban Affairs	2	16	18	17	0	0	5.55
	Shillong Municipal Board	0	19	19	19	0	0	0
	Jowai Municipal Board	0	5	5	5	0	0	0
	MUDA	0	19	19	19	0	0	0
	Tura Municipal Board	0	5	5	5	0	0	0
	Williamnagar Municipal Board	0	0	0	0	0	0	0
	Resubelpara Municipal Board	0	0	0	0	0	0	0
	Meghalaya Urban Development Agency, Shillong	0	4	4	4	0	0	0
	Baghmara Municipal Board	0	0	0	0	0	0	0
48	Legal Metrology Department							
	Controller of Legal Metrology	0	7	7	7	0	0	0
49	Meghalaya Legislative Assembly	0	5	5	5	0	0	0
50	Meghalaya High Court	2	97	99	86	0	13	13.13
	Chief Judicial Magistrate	0	2	2	2	0	0	0
51	Governor's Secretariat, Raj Bhavan,	0	0	0	0	0	0	0
52	Meghalaya State Information Commission	0	2	2	2	0	0	0
53	Water Resources Department	0	10	10	7	2	0	30
54	Prisons Department	0	13	13	13	0	0	0
	Total:	9	2602	2611	2531	11	69	3.09

Nota Bene : NA = (Information) Not Available

Table 7.2.2 below indicates *the year wise disposal of requests* during the last thirteen 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
2013	1625	1546	30
2014	1816	1770	23
2015	2663	2601	6
2016	2132	2049	1
2017	5231	5150	81
2018	2611	2531	69

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

Section 19 (1) provides “Any person who does not receive a decision within the time specified in Sub Section 11 (1) or Clause (a) of Sub-section (3) of Section 7, or is aggrieved by a decision of the Central Public Information Officer, or State Public Information Officer as the case may be, may within 30 days from the expiry of such period or from the receipt of such a decision prefer an appeal (First appeal) to such officer who is senior in rank to the Central Public Information Officer or State Public Information Officer as the case may be in each public authority.”

During the year, **77** appeals were preferred before the Departmental Appellate Authority (FAA) in the form of First Appeals under Section 19 (1) of the Act.

The disposal of the appeals by the First Appellate Authorities is given in Table 7.3.1

Table 7.3.1 Disposal of First Appeals by the First Appellate Authorities

(Reporting Year: 2018)

Sl. No	Name of Departmental 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	Agriculture							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Agriculture	0	0	0	0	0	0	0
	Directorate of Horticulture	0	0	0	0	0	0	0
	Meghalaya State Agricultural Marketing Board, Shillong	0	0	0	0	0	0	0
2	Arts & Culture							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Arts & Culture							
3	A.H.&Vety.							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of AH&Vety	0	0	0	0	0	0	0
4	Border Areas Development							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of BAD	0	0	0	0	0	0	0
5	CM Secretariat							
	Secretariat Deptt.	0	0	0	0	0	0	0
6	Cabinet Affairs							
	Secretariat Deptt.	0	0	0	0	0	0	0
7	C&RD							
	Secretariat Deptt.	0	1	1	1	0	0	1
	Directorate of C&RD	0	1	1	1	0	0	1
	Project Director, East Khasi Hills, Shillong	0	0	0	0	0	0	0
	Project Director, West Khasi Hills, Nongstoin	0	0	0	0	0	0	0
	Project Director, Ribhoi District, Nongpoh	NA	NA	NA	NA	NA	NA	NA
	Project Director, West Jaintia Hills,	0	0	0	0	0	0	0

	Jowai							
	Project Director, East Garo Hills, Williamnagar	0	0	0	0	0	0	0
	Project Director, South Garo Hills, Baghmara	0	2	2	2	0	0	0
	Project Director, West Garo Hills, Tura	NA	NA	NA	NA	NA	NA	NA
	Project Director, South West Khasi Hills, Mawkyrwat	NA	NA	NA	NA	NA	NA	NA
	Project Director, North Garo Hills, Resubelpara	0	2	2	2	0	0	0
	Project Director, South West Garo Hills, Ampati	0	0	0	0	0	0	0
	Project Director, East Jaintia Hills, Khliehriat	0	0	0	0	0	0	0
8	Cooperation							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Registrar of Cooperative Societies	0	0	0	0	0	0	0
	Meghalaya State Warehousing Corporation	0	0	0	0	0	0	0
	MECOFED Ltd.	0	0	0	0	0	0	0
	MSHF Cooperative Society Ltd.	0	0	0	0	0	0	0
	MSCU Ltd.	0	0	0	0	0	0	0
	The Meghalaya Cooperative Apex Bank Ltd.	0	0	0	0	0	0	0
	MEGHALOOM Ltd.	0	0	0	0	0	0	0
	Meghalaya Village Development & Promotion Tourism Cooperative Society Ltd.	0	0	0	0	0	0	0
9	District Council Affairs							
	Secretariat Deptt.	0	0	0	0	0	0	0
	KHADC	0	0	0	0	0	0	0
	JHADC	0	2	2	2	0	0	0

	GHADC	0	1	1	1	0	0	0
10	Education							
	Secretariat Deptt.	0	0	0	0	0	0	0
	DHTE	0	4	4	4	0	0	0
	DERT	0	0	0	0	0	0	0
	MBOSE	0	0	0	0	0	0	0
	DSEL	0	0	0	0		0	0
11	Elections							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Deputy Commissioners	0	0	0	0	0	0	0
12	ERTS							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Commissioner of Taxes	0	1	1	1	0	0	0
	Commissioner of Excise	0	0	0	0	0	0	0
	Inspector General of Registration & Superintendent of Stamps	0	0	0	0	0	0	0
	Directorate of Meghalaya State Lottery	0	0	0	0	0	0	0
	Meghalaya Commission of Resource Mobilization	0	0	0	0	0	0	0
13	Finance							
	Directorate of Accounts & Treasuries	0	0	0	0	0	0	0
	Directorate of Local Accounts	NA	NA	NA	NA	NA	NA	NA
	Directorate of Small Savings	NA	NA	NA	NA	NA	NA	NA
	Directorate of Institutional Finance	0	0	0	0	0	0	0
	Finance (EC 1) Deptt.	0	0	0	0	0	0	0
	Finance (Economic Affairs) Deptt.	0	0	0	0	0	0	0
	Finance (PR) Deptt.	0	0	0	0	0	0	0
	Finance (Establishment) Deptt.	0	0	0	0	0	0	0
	Finance (AF)	0	0	0	0	0	0	0
Finance (PC)	0	0	0	0	0	0	0	
Directorate of Local Fund Audit	0	0	0	0	0	0	0	

	Finance (Budget)	0	0	0	0	0	0	0
	Finance (EC II)	0	0	0	0	0	0	0
14	Food & Civil Supplies							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Food & Civil Supplies	0	0	0	0	0	0	0
	Meghalaya State Consumer Disputes Redressal Commission	0	0	0	0	0	0	0
15	Forests & Envir.							
	Secretariat Deptt.	0	0	0	0	0	0	0
	O/o PCCF & HoFF	0	0	0	0	0	0	0
	O/o Addl. PCCF (Social Forestry & Environment)	0	0	0	0	0	0	0
	O/o PCCF (CC, Research & Training)	0	0	0	0	0	0	0
	O/o PCCF (Territorial)	0	0	0	0	0	0	0
	O/o Addl. PCCF (WL & CWLW)	0	0	0	0	0	0	0
16	Fisheries							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Fisheries	0	0	0	0	0	0	0
17	GAD							
	Office Estate Officer	0	0	0	0	0	0	0
	Directorate of Sainik Welfare	0	0	0	0	0	0	0
	Zila Sainik Welfare	0	0	0	0	0	0	0
	GAD (B)	0	0	0	0	0	0	0
	GAD (A)	0	0	0	0	0	0	0
18	Home (Police)							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Director General of Police	0	1	1	1	0	0	0
19	Home Guards & Civil Defence							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Civil Defence & Home Guards	0	0	0	0	0	0	0
20	Home (Jails)							
	Secretariat Deptt.	0	1	1	1	0	0	0
	Director General	0	0	0	0	0	0	0

	of Prisons							
21	Home (Passport)							
	Secretariat Deptt.	0	0	0	0	0	0	0
22	Health & FW							
	Secretariat Deptt.	0	0	0	0	0	0	0
	DHS (MI)	0	0	0	0	0	0	0
	DHS (MCH & FW)	0	15	15	15	0		0
	DHS (R)	0	0	0	0	0	0	0
23	Housing							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Housing	0	2	2	2	0	0	0
	Meghalaya State Housing Board	0	0	0	0	0	0	0
02 4	Commerce & Industries							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Commerce & Industries	0	0	0	0	0	0	0
	MIDC Ltd.	0	0	0	0	0	0	0
	MCCL	0	0	0	0	0	0	0
	MKVIB	0	0	0	0	0	0	0
	MHHDC Ltd.	0	0	0	0	0	0	0
	MBC Ltd.	0	0	0	0	0	0	0
	MEDC Ltd.	0	0	0	0	0	0	0
25	Information & Public Relations							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of IPR	0	0	0	0	0	0	0
26	Information Technology & Communication							
	Secretariat Deptt.	0	0	0	0	0	0	0
27	Law							
	Law (A)	0	0	0	0	0	0	0
	Law (B)	0	0	0	0	0	0	0
28	Labour							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Employment & Craftsmen Training	0	0	0	0	0	0	0
	O/o Administrative Medical Officer, Employees' State Insurance Scheme	0	0	0	0	0	0	0
	Chief Inspector of Boilers and Factories	0	0	0	0	0	0	0

	Labour Commissioner	0	0	0	0	0	0	0
	Commandant Meghalaya Civil Task Force	0	0	0	0	0	0	0
29	Mining & Geology							
	Secretariat Dept	0	0	0	0	0	0	0
	Directorate of Mineral Resources	0	0	0	0	0	0	0
30	Planning							
	Secretariat Dept.	0	0	0	0	0	0	0
	Directorate of Programme Implementation & Evaluation Dept.	0	0	0	0	0	0	0
	Directorate of Economics & Statistics	0	0	0	0	0	0	0
	MEDC	0	0	0	0	0	0	0
	Bio - Resource Development Centre, Shillong	0	0	0	0	0	0	0
	State Council of Science & Technology & Environment	0	1	1	1	0	0	0
	Shillong Science Centre, Shillong	0	0	0	0	0	0	0
	Meghalaya State Planning Board	0	0	0	0	0	0	0
	Meghalaya Resource & Employment Generation Council, Shillong	0	0	0	0	0	0	0
0	Meghalaya Basin Development Authority	0	0	0	0	0	0	0
	Meghalaya Institute of Governance	0	0	0	0	0	0	0
	Meghalaya Institute of Entrepreneurship	0	0	0	0	0	0	0
	Science & Technology Cell	0	0	0	0	0	0	0
	District Planning Officer	0	0	0	0	0	0	0
	Planning (Research)	0	0	0	0	0	0	0
31	Personnel							

Personnel & AR (A)	0	0	0	0	0	0	0
Personnel & AR (B)	0	0	0	0	0	0	0
DC EK Hills, Shillong	0	6	6	1	0	0	5
DC Ribhoi District	0	0	0	0	0	0	0
DC West Jaintia Hills District, Jowai	0	0	0	0	0	0	0
DC West Khasi Hills	0	0	0	0	0	0	0
DC West Garo Hills, Tura	0	0	0	0	0	0	0
DC East Garo Hills	0	0	0	0	0	0	0
DC South Garo Hills	0	0	0	0	0	0	0
MPSC	0	0	0	0	0	0	0
Commissioner of Divisions Shillong	0	0	0	0	0	0	0
Personnel AR (ARC) Deptt.	0	0	0	0	0	0	0
MATI	0	0	0	0	0	0	0
DC South West Khasi Hills District	0	0	0	0	0	0	0
DC East Jaintia Hills District, Khliehriat	0	0	0	0	0	0	0
DC North Garo Hills	0	0	0	0	0	0	0
DC South West Garo Hills, Ampati	0	0	0	0	0	0	0
Commissioner of Division Tura	0	0	0	0	0	0	0
SDO (C) Sohra	0	0	0	0	0	0	0
SDO (C) Mairang	0	0	0	0	0	0	0
SDO (C) Amlarem	0	0	0	0	0	0	0
SDO (C) Dadenggre	0	0	0	0	0	0	0
SDO (C) Raksamgre	0	0	0	0	0	0	0
SDO (C) Mawshynrut	0	0	0	0	0	0	0
SDO (C) Pynursla	0	0	0	0	0	0	0
SDO (C) Chokpot	NA	NA	NA	NA	NA	NA	NA
All India Service Pre-Examination Training Centre	0	0	0	0	0	0	0

32	Political							
	Secretariat Deptt.	0	0	0	0	0	0	0
33	PHE							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Chief Engineer	1	21	22	22	0	0	0
34	Power							
	Secretariat Deptt.	0	0	0	0	0	0	0
	MSERC	0	0	0	0	0	0	0
	MNREDA	0	0	0	0	0	0	0
	Senior Electrical Inspector, Inspectorate of Electricity	0	0	0	0	0	0	0
	Meghalaya Power Distribution Corporation Limited	1	3	4	4	0	0	0
	Meghalaya Power Transmission Corporation Limited	0	0	0	0	0	0	0
	Meghalaya Power Generation Corporation Limited	0	1	1	1	0	0	0
	Meghalaya Energy Corporation Limited	0	1	1	1	0	0	0
35	Printing & Stationery							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Printing & Stationery	0	0	0	0	0	0	0
36	PWD							
	Secretariat Deptt.	0	0	0	0	0	0	0
	CE PWD(R)	0	0	0	0	0	0	0
	CE PWD (NH)	0	0	0	0	0	0	0
	CE PWD (B)	0	0	0	0	0	0	0
	Meghalaya Govt. Construction Corporation Ltd.	0	0	0	0	0	0	0
37	Parliamentary Affairs							
	Secretariat Deptt.	0	0	0	0	0	0	0
38	Meghalaya Bharat Scouts & Guides	0	0	0	0	0	0	0
39	Revenue & Disaster Management	0	0	0	0	0	0	0
	Secretariat Deptt.	0	0	0	0	0	0	0

	Meghalaya Board of Revenue	0	0	0	0	0	0	0
	Directorate of Land Records & Survey	0	0	0	0	0	0	0
40	SAD							
	SAD (A)	0	0	0	0	0	0	0
	SAD (E)	0	0	0	0	0	0	0
	SAD (N)	0	0	0	0	0	0	0
	SAD (R)	0	0	0	0	0	0	0
41	Sports & Youth Affairs							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Sports & Y.A.	0	0	0	0	0	0	0
42	Social Welfare							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Social Welfare	0	0	0	0	0	0	0
	Meghalaya State Social Welfare Board	0	0	0	0	0	0	0
	State Commission for Women	0	0	0	0	0	0	0
	Commissioner for Person with Disabilities	0	0	0	0	0	0	0
	State Commission for Protection of Child Rights	0	0	0	0	0	0	0
	District Social Welfare Officer	0	0	0	0	0	0	0
	District Programme Officer ICDS Cell	0	0	0	0	0	0	0
	Child Welfare & Probation Officer I/c Observation Home (Boys)	0	0	0	0	0	0	0
	Superintendent Training for Self Employment of Women in need of Care & Protection	0	0	0	0	0	0	0
	Superintendent Observation Home (G) Shillong	0	0	0	0	0	0	0
43	Soil & Water Conservation							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Soil & Water	0	3	3	3	0	0	0

	Conservation							
44	Department of Textiles							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Sericulture and Weaving, Department of Textiles	0	0	0	0	0	0	0
	District Sericulture Officer, Nongpoh	0	0	0	0	0	0	0
	District Handloom Officer, Jowai	0	0	0	0	0	0	0
45	Transport							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Commissioner of Transport	0	0	0	0	0	0	0
	MTC	0	0	0	0	0	0	0
	Secretary State Transport Authority	0	0	0	0	0	0	0
	District Transport Officer & Regional Transport Authority	0	0	0	0	0	0	0
46	Tourism							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Tourism	0	0	0	0	0	0	0
	MTDC Ltd.	0	1	1	1	0	0	0
47	Urban Affairs							
	Secretariat Deptt.	0	0	0	0	0	0	0
	Directorate of Urban Affairs	0	0	0	0	0	0	0
	Shillong Municipal Board	0	0	0	0	0	0	0
	Jowai Municipal Board	0	0	0	0	0	0	0
	MUDA	0	0	0	0	0	0	0
	Tura Municipal Board	0	0	0	0	0	0	0
	Williamnagar Municipal Board	0	0	0	0	0	0	0
	Resubelpara Municipal Board	0	0	0	0	0	0	0
	Meghalaya Urban Development Agency, Shillong	0	0	0	0	0	0	0
	Baghmara Municipal Board	0	0	0	0	0	0	0
48	Legal Metrology							

	Department							
	Controller of Legal Metrology	0	0	0	0	0	0	0
49	Meghalaya Legislative Assembly	0	0	0	0	0	0	0
50	Meghalaya High Court	0	1	1	0	1	0	0
	Chief Judicial Magistrate	0	0	0	0	0	0	0
51	Governor's Secretariat, Raj Bhavan, Shillong	0	3	3	3	0	0	0
52	Meghalaya State Information Commission	0	0	0	0	0	0	0
53	Water Resources Department	0	0	0	0	0	0	0
54	Prisons Department	0	1	1	1	0	0	0
	Total	2	75	77	71	1	0	5

Nota Bene: NA = (Information) Not Available

Table 7.3.2 below indicates *the year wise disposal of first appeals* by the Departmental Appellate Authorities during the last thirteen years

Table 7.3.2

Year	No. of First Appeals received	No. of First Appeals disposed	No. of First Appeals rejected
2006	21	20	1
2007	108	106	2
2008	23	23	0
2009	39	39	0
2010	42	36	6
2011	94	94	Nil
2012	118	117	1 no. carried over
2013	78	66	No. of disposals include pending ones of the previous year
2014	123	120	
2015	122	131	
2016	112	154	
2017	239	237	2
2018	77	71	6

7.4 Information requests rejected by the Public Information Officers/Public Authorities

Section 7 (1) empowers the Public Information Officer to reject the request for information for any of the reasons specified under sections 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.

Table 7.4.1 Reporting Year: 2018

Sl. No	Name of Department/ 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 Sections
1	2	3	4	5	6	7	8
1	Agriculture						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Agriculture	0	0	0	0	0	0
	Directorate of Horticulture	0	0	0	0	0	0
	Meghalaya State Agricultural Marketing Board, Shillong	0	0	0	0	0	0
2	Arts & Culture						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Arts & Culture	0	0	0	0	0	0
3	AH&Vety.						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of AH&Vety.	0	0	0	0	0	0
4	Border Areas Development						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of BAD	0	0	0	0	0	0
5	CM Secretariat						
	Secretariat Deptt.	1	0	0	0	0	0
6	Cabinet Affairs						
	Secretariat Deptt.	0	0	0	0	0	0
7	C&RD						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of	0	0	0	0	0	0

	C&RD						
	Project Director, East Khasi Hills, Shillong	0	0	0	0	0	0
	Project Director, West Khasi Hills, Nongstoin	0	0	0	0	0	0
	Project Director, Ribhoi District, Nongpoh	NA	NA	NA	NA	NA	NA
	Project Director, West Jaintia Hills, Jowai	0	0	0	0	0	0
	Project Director, East Garo Hills, Williamnagar	0	0	0	0	0	0
	Project Director, South Garo Hills, Baghmara	0	0	0	0	0	0
	Project Director, West Garo Hills, Tura	NA	NA	NA	NA	NA	NA
	Project Director South West Khasi Hills, Mawkyrwat	NA	NA	NA	NA	NA	NA
	Project Director North Garo Hills, Resubelpara	0	0	0	0	0	0
	Project Director South West Garo Hills, Ampati	0	0	0	0	0	0
	Project Director East Jaintia Hills, Khliehriat	0	0	0	0	0	0
8	Cooperation						
	Secretariat Deptt.	0	0	0	0	0	0
	Registrar of Cooperative Societies	0	0	0	0	0	0
	Meghalaya State Warehousing Corporation	0	0	0	0	0	0
	MECOFED Ltd.	0	0	0	0	0	0
	MSHF Coop.Society Ltd.	0	0	0	0	0	0
	MSCU Ltd.	0	0	0	0	0	0
	The Meghalaya Cooperarive Apex Bank Ltd.	0	0	0	0	0	0
	MEGHALOOM Ltd.	0	0	0	0	0	0
	Meghalaya Village Development &	0	0	0	0	0	0

	Promotion Tourism Cooperative Society Ltd.						
9	District Council Affairs						
	Secretariat Deptt.	0	0	0	0	0	0
	KHADC	0	0	0	0	0	0
	JHADC	0	0	0	0	0	0
	GHADC	1	1	0	0	0	0
10	Education						
	Secretariat Deptt.	0	0	0	0	0	0
	DHTE	0	0	0	0	0	0
	DEPT	0	0	0	0	0	0
	MBOSE	0	0	0	0	0	0
	DSEL	0	0	0	0	0	0
11	Election						
	Secretariat Deptt.	0	0	0	0	0	0
	Deputy Commissioners	0	0	0	0	0	0
12	ERTS						
	Secretariat Deptt.	0	0	0	0	0	0
	Commissioner of Taxes	0	0	0	0	0	0
	Commissioner of Excise	1	0	0	1	0	0
	Inspector General of Registration & Superintendent of Stamps	0	0	0	0	0	0
	Directorate of Meghalaya State Lottery	0	0	0	0	0	0
	Meghalaya Commission of Resource Mobilization	0	0	0	0	0	0
13	Finance						
	Directorate of Accounts & Treasuries	0	0	0	0	0	0
	Directorate of Local Accounts	NA	NA	NA	NA	NA	NA
	Directorate of Small Savings	NA	NA	NA	NA	NA	NA
	Directorate of Institutional Finance	0	0	0	0	0	0
	Finance (EC 1) Department	0	0	0	0	0	0
	Finance (Economic Affairs) Deptt.	0	0	0	0	0	0

	Finance (PR) Department	0	0	0	0	0	0
	Finance (Establishment) Department	0	0	0	0	0	0
	Finance (AF)	0	0	0	0	0	0
	Finance (PC)	NA	NA	NA	NA	NA	NA
	Directorate of Local Fund Audit	0	0	0	0	0	0
	Finance (Budget)	0	0	0	0	0	0
	Finance (EC II)	0	0	0	0	0	0
14	Food & Civil Supplies						
	Secretariat Dept.	0	0	0	0	0	0
	Directorate of Food & Civil Supplies	0	0	0	0	0	0
	Meghalaya State Consumer Disputes Redressal Commission	0	0	0	0	0	0
15	Forest & Envir.						
	Secretariat Deptt.	0	0	0	0	0	0
	O/o PCCF & HoFF	0	0	0	0	0	0
	O/o Addl. PCCF (Social Forestry & Environment)	0	0	0	0	0	0
	O/o PCCF (CC, Research & Training)	0	0	0	0	0	0
	O/o PCCF (Territorial)	0	0	0	0	0	0
	O/o Addl. PCCF (WL & CWLW)	0	0	0	0	0	0
16	Fisheries						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Fisheries	0	0	0	0	0	0
17	GAD						
	Office Estate Officer	0	0	0	0	0	0
	Directorate of Sainik Welfare	0	0	0	0	0	0
	Zila Sainik Welfare	0	0	0	0	0	0
	GAD (B)	0	0	0	0	0	0
	GAD (A)	0	0	0	0	0	0
18	Home (Police)						
	Secretariat Deptt.	0	0	0	0	0	0
	Director General of Police	0	0	0	0	0	0

19	Home Guards & Civil Defence						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Civil Defence & Home Guards	0	0	0	0	0	0
20	Home (Jails)						
	Secretariat Deptt.	0	0	0	0	0	0
	Director General of Prisons	0	0	0	0	0	0
21	Home (Passport)						
	Secretariat Deptt.	0	0	0	0	0	0
22	Health & FW						
	Secretariat Deptt.	0	0	0	0	0	0
	DHS (MI)	0	0	0	0	0	0
	DHS (MCH & FW)	0	0	0	0	0	0
	DHS (R)	0	0	0	0	0	0
23	Housing						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Housing	0	0	0	0	0	0
	Meghalaya State Housing Board	0	0	0	0	0	0
24	Commerce & Industries						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Commerce & Industries	0	0	0	0	0	0
	MIDC Ltd.	0	0	0	0	0	0
	MCCL	0	0	0	0	0	0
	MKVIB	0	0	0	0	0	0
	MHHDC Ltd.	0	0	0	0	0	0
	MBC Ltd.	0	0	0	0	0	0
	MEDC Ltd.	0	0	0	0	0	0
25	Information & Public Relations						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of IPR	0	0	0	0	0	0
26	Information Technology & Communication						
	Secretariat Deptt.	0	0	0	0	0	0
27	Law						
	Law (A)	0	0	0	0	0	0
	Law (B)	0	0	0	0	0	0
28	Labour						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Employment & Craftsmen	0	0	0	0	0	0

	Training						
	O/o Administrative Medical Officer, Employees' State Insurance Scheme	0	0	0	0	0	0
	Chief Inspector of Boilers and Factories	0	0	0	0	0	0
	Labour Commissioner	0	0	0	0	0	0
	Commandant Meghalaya Civil Task Force	0	0	0	0	0	0
29	Mining & Geology						
	Secretariat Dept	0	0	0	0	0	0
	Directorate of Mineral Resources	0	0	0	0	0	0
30	Planning						
	Secretariat Dept.	0	0	0	0	0	0
	Directorate of Programme Implementation & Evaluation Deptt.	0	0	0	0	0	0
	Directorate of Economics & Statistics	0	0	0	0	0	0
	MEDC	0	0	0	0	0	0
	Bio - Resource Development Centre, Shillong	0	0	0	0	0	0
	State Council of Science & Technology & Environment,	0	0	0	0	0	0
	Shillong Science Centre, Shillong	0	0	0	0	0	0
	Meghalaya State Planning Board	0	0	0	0	0	0
	Meghalaya Resource & Employment Generation Council,	0	0	0	0	0	0
	Meghalaya Basin Development Authority	0	0	0	0	0	0
	Meghalaya Institute of Governance	0	0	0	0	0	0
	Meghalaya						

	Institute of Entrepreneurship	0	0	0	0	0	0
	Science & Technology Cell	0	0	0	0	0	0
	District Planning Officer	0	0	0	0	0	0
	Planning (Research)	0	0	0	0	0	0
031	Personnel						
	Personnel & AR (A)	0	0	0	0	0	0
	Personnel & AR (B)	0	0	0	0	0	0
	DC EK Hills, Shillong	0	0	0	0	0	0
	DC Ribhoi District	0	0	0	0	0	0
	DC West Jaintia Hills District, Jowai	0	0	0	0	0	0
	DC West Khasi Hills	0	0	0	0	0	0
	DC West Garo Hills Tura	0	0	0	0	0	0
	DC East Garo Hills	0	0	0	0	0	0
	DC South Garo Hills	0	0	0	0	0	0
	MPSC	5	4	0	1	0	0
	Commissioner of Divisions Shillong	0	0	0	0	0	0
	Personnel & AR (ARC) Deptt.	0	0	0	0	0	0
	MATI	0	0	0	0	0	0
	DC South West Khasi Hills District	0	0	0	0	0	0
	DC East Jaintia Hills District, Khliehriat	0	0	0	0	0	0
	DC North Garo Hills	0	0	0	0	0	0
	DC South West Garo Hills, Ampati	0	0	0	0	0	0
	Commissioner of Division, Tura	0	0	0	0	0	0
	SDO (C) Sohra	0	0	0	0	0	0
	SDO (C) Mairang	0	0	0	0	0	0
	SDO (C) Amlarem	0	0	0	0	0	0

	SDO (C) Dadenggre	0	0	0	0	0	0
	SDO (C) Raksamgre	0	0	0	0	0	0
	SDO (C) Mawshynrut	0	0	0	0	0	0
	SDO (C) Pynursla	0	0	0	0	0	0
	SDO (C) Chokpot	NA	NA	NA	NA	NA	NA
	All India Service Pre-Examination Training Centre	0	0	0	0	0	0
32	Political						
	Secretariat Dept.	0	0	0	0	0	0
33	PHE						
	Secretariat Dept.	0	0	0	0	0	0
	Chief Engineer	0	0	0	0	0	0
34	Power						
	Secretariat Dept.	0	0	0	0	0	0
	MSERC	0	0	0	0	0	0
	MNREDA	0	0	0	0	0	0
	Senior Electrical Inspector Inspectorate of Electricity, Shillong	0	0	0	0	0	0
	Meghalaya Power Distribution Corporation Limited	0	0	0	0	0	0
	Meghalaya Power Transmission Corporation Limited	0	0	0	0	0	0
	Meghalaya Power Generation Corporation Limited	0	0	0	0	0	0
	Meghalaya Energy Corporation Limited	0	0	0	0	0	0
35	Printing & Stationery						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Printing & Stationery	0	0	0	0	0	0
36	PWD						
	Secretariat Dept.	0	0	0	0	0	0
	CE PWD(R)	0	0	0	0	0	0
	CE PWD (NH)	0	0	0	0	0	0
	CE PWD (B)	0	0	0	0	0	0

	Meghalaya Govt. Construction Corporation Ltd.	0	0	0	0	0	0
37	Parliamentary Affairs						
	Secretariat Dett.	0	0	0	0	0	0
38	Meghalaya Bharat Scouts & Guides	0	0	0	0	0	0
39	Revenue & Disaster Management						
	Secretariat Deptt.	0	0	0	0	0	0
	Meghalaya Board of Revenue	0	0	0	0	0	0
	Dte.Land Records & Survey	0	0	0	0	0	0
40	SAD						
	SAD (A)	0	0	0	0	0	0
	SAD (E)	0	0	0	0	0	0
	SAD (N)	0	0	0	0	0	0
	SAD (R)	0	0	0	0	0	0
41	Sports & Youth Affairs						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Sports & YA	0	0	0	0	0	0
42	Social Welfare						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Social Welfare	0	0	0	0	0	0
	Meghalaya State Social Welfare Board	0	0	0	0	0	0
	State Commission for Women	0	0	0	0	0	0
	Commissioner for Person with Disabilities	0	0	0	0	0	0
	State Commission for Protection of Child Rights	0	0	0	0	0	0
	District Social Welfare Officer	0	0	0	0	0	0
	District Programme Officer ICDS Cell	0	0	0	0	0	0
	Child Welfare & Probation Officer I/c Observation Home (Boys)	0	0	0	0	0	0
	Superintendent Training for Self						

	Employment of Women in need of Care & Protection	0	0	0	0	0	0
	Superintendent Observation Home (G) Shillong	0	0	0	0	0	0
43	Soil & Water Conservation						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Soil & Water	0	0	0	0	0	0
44	Department of Textiles						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Sericulture & Weaving, Department of Textiles	0	0	0	0	0	0
	District Sericulture Officer, Nongpoh	0	0	0	0	0	0
	District Handloom Officer, Jowai	0	0	0	0	0	0
45	Transport						
	Secretariat Deptt.	0	0	0	0	0	0
	Commissioner of Transport	0	0	0	0	0	0
	MTC	0	0	0	0	0	0
	Secretary, State Transport Authority	0	0	0	0	0	0
	District Transport Officer & Regional Transport Authority	0	0	0	0	0	0
46	Tourism						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Tourism	0	0	0	0	0	0
	MTDC Ltd.	0	0	0	0	0	0
47	Urban Affairs						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Urban Affairs	0	0	0	0	0	0
	Shillong Municipal Board	0	0	0	0	0	0
	Jowai Municipal Board	0	0	0	0	0	0

	MUDA	0	0	0	0	0	0
	Tura Municipal Board	0	0	0	0	0	0
	Williamnagar Municipal Board	0	0	0	0	0	0
	Resubelpara Municipal Board	0	0	0	0	0	0
	Meghalaya Urban Development Agency, Shillong	0	0	0	0	0	0
	Baghmara Municipal Board	0	0	0	0	0	0
48	Legal Metrology Department						
	Controller of Legal Metrology	0	0	0	0	0	0
49	Meghalaya Legislative Assembly	0	0	0	0	0	0
50	Meghalaya High Court	0	0	0	0	0	0
	Chief Judicial Magistrate	0	0	0	0	0	0
51	Governor's Secretariat Raj Bhavan, Shillong	0	0	0	0	0	0
52	Meghalaya State Information Commission	0	0	0	0	0	0
53	Water Resources Department	2	2	0	0	0	0
54	Prisons Department	0	0	0	0	0	0
	Total	10	8	0	2	0	0

Nota Bene : NA = (Information) Not Available

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

A total of Rs. 57,621.00 was collected by the Public Information Officers/Public Authorities in the form of fees and charges during 2018. Out of this Rs. 8,490.00 was collected under Section 4(4), being the cost of the printed materials in which form the information was provided; Rs. 18,911.00 is the total amount of application fees collected under Section 6(1); Rs. 22,381.00 was collected under Section 7(1) being the cost of the photo copies made; Rs. 6,841.00 was collected under section 7(5) being the cost of information provided in electronic

format and Rs. 998.00 is the miscellaneous charges collected by Public Information Officers and Public Authorities.

The details of fees and other charges collected department-wise during the year are indicated in Table 7.5.1 below.

Table 7.5.1
Summary of Costs, Fees & Charges collected by Public Authorities
Reporting Year : 2018

Sl. No.	Name of Departments/ Public Authorities	Cost Collected Section 4(4)	Fee Collected Section 6(1)	Fee Collected Section 7(1)	Fee Collected Section 7(5)	Other charges collected (specify)	Total Collection
1	2	3	4	5	6	7	8
1	Agriculture						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Agriculture	794	80	1332	0	0	2206
	Directorate of Horticulture	0	20	20	0	0	40
	Meghalaya State Agricultural Marketing Board, Shillong	0	0	0	0	0	0
2	Arts & Culture						
	Secretariat Deptt.	0	10	0	0	0	10
	Directorate of Arts & Culture	0	10	0	0	0	10
3	AH&Vety.						
	Secretariat Deptt.	0	0	0	60	0	60
	Directorate of AH&Vety	0	0	0	60	0	60
4	Border Areas Development						
	Secretariat Deptt.	94	0	0	0	0	94
	Directorate of BAD	310	64	0	0	0	374
5	C.M.Secretariat						
	Secretariat Deptt.	0	40	0	0	0	40
6	Cabinet Affairs						
	Secretariat Deptt.	0	0	0	0	0	0
7	C&RD						
	Secretariat Deptt.	10	0	0	0	0	10
	Directorate of C&RD	10	0	0	34	0	44
	Project Director, East Khasi Hills, Shillong	0	20	352	0	0	372
	Project Director,						

	West Khasi Hills, Nongstoin	0	20	518	0	0	538
	Project Director, Ribhoi District, Nongpoh	NA	NA	NA	NA	NA	NA
	Project Director, West Jaintia Hills, Jowai	0	10	0	16	0	26
	Project Director, East Garo Hills, Williamnagar	0	0	0	0	0	0
	Project Director, South Garo Hills, Baghmara	0	20	0	0	0	20
	Project Director, West Garo Hills, Tura	NA	NA	NA	NA	NA	NA
	Project Director, South West Khasi Hills, Mawkyrwat	NA	NA	NA	NA	NA	NA
	Project Director, North Garo Hills, Resubelpara	0	20	0	0	0	20
	Project Director, South West Garo Hills, Ampati	0	0	0	0	0	0
	Project Director, East Jaintia Hills, Khliehriat	0	60	0	0	0	60
8	Cooperation						
	Secretariat Deptt.	0	0	0	0	0	0
	Registrar of Cooperative Societies	0	40	0	0	0	40
	Meghalaya State Warehousing Corporation	0	0	0	0	0	0
	MECOFED Ltd.	0	0	0	0	0	0
	MSHF Coop:Society Ltd.	0	0	0	0	0	0
	MSCU Ltd.	0	0	0	0	0	0
	The Meghalaya Cooperative Apex Bank Ltd.	0	20	0	0	0	20
	MEGHALOOM Ltd.	0	0	0	0	0	0
	Meghalaya Village Development & Promotion Tourism Cooperative	0	0	0	0	0	0

	Society Ltd.						
9	District Council Affairs						
	Secretariat Deptt.	0	10	0	0	0	10
	KHADC	2038	180	1862	10	0	4090
	JHADC	0	530	7652	0	0	8182
	GHADC	0	1032	0	0	0	1032
10	Education						
	Secretariat Deptt.	0	560	0	0	0	560
	DHTE	0	780	65	0	0	845
	DERT	0	20	0	0	0	20
	MBOSE	0	0	0	0	0	0
	DSEL	0	280	1848	0	0	2128
11	Election						
	Secretariat Deptt.	0	0	0	0	0	0
	Deputy Commissioners	0	0	0	0	0	0
12	ERTS						
	Secretariat Deptt.	0	0	20	0	0	20
	Commissioner of Taxes	0	170	126	10	0	306
	Commissioner of Excise	10	30	30	0	6	76
	Inspector General of Registration & Superintendent of Stamps	314	35	40	0	0	389
	Directorate of Meghalaya State Lottery	1220	0	0	0	0	1220
	Meghalaya Commission of Resource Mobilization	0	0	0	0	0	0
13	Finance						
	Directorate of Accounts & Treasuries	0	0	0	0	0	0
	Directorate of Local Accounts	NA	NA	NA	NA	NA	NA
	Directorate of Small Savings	NA	NA	NA	NA	NA	NA
	Directorate of Institutional Finance	0	0	0	0	0	0
	Finance (EC 1) Deptt.	0	0	0	0	0	0
	Finance (Economic Affairs) Deptt.	0	0	0	0	0	0
	Finance (PR) Department	0	30	0	0	0	30
	Finance						

	(Establishment) Department	0	0	0	0	0	0
	Finance (AF)	0	0	0	0	0	0
	Finance (PC)						
	Directorate of Local Fund Audit	0	10	18	0	0	28
	Finance (Budget)	0	0	0	0	0	0
	Finance (EC II)	0	0	0	0	0	0
14	Food & Civil Supplies						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Food & Civil Supplies	0	160	146	610	0	916
	Meghalaya State Consumer Disputes Redressal Commission	0	0	0	0	0	0
15	Forests & Envir.						
	Secretariat Deptt.	0	50	304	0	0	354
	O/o PCCF & HoFF	0	205	30	0	0	235
	O/o Addl. PCCF (Social Forestry & Environment)	0	30	26	0	0	56
	O/o PCCF (CC, Research & Training)	0	10	0	0	0	10
	O/o PCCF (Territorial)	0	280	158	0	0	438
	O/o Addl. PCCF (WL & CWLW)	0	64	0	0	0	64
16	Fisheries						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Fisheries	20	153	0	0	100	273
17	GAD						
	Office Estate Officer	0	0	0	0	0	0
	Directorate of Sainik Welfare	0	0	0	0	0	0
	Zila Sainik Welfare	0	0	0	0	0	0
	GAD (B)						
	GAD (A)	0	10	0	0	0	10
18	Home (Police)						
	Secretariat Deptt.	20	0	0	0	0	20
	Director General of Police	70	2110	0	0	50	2230
19	Home Guards & Civil Defence						
	Secretariat Deptt.	0	0	0	0	0	0

	Directorate of Civil Defence & Home Guards	0	20	20	102	0	142
20	Home (Jails)						
	Secretariat Deptt.	0	10	0	0	0	10
	Director General of Prisons	0	120	108	0	0	228
21	Home (Passport)						
	Secretariat Deptt.	0	10	0	0	0	10
22	Health & FW						
	Secretariat Deptt.	0	90	0	424	0	514
	DHS (MI)	488	100	0	0	0	588
	DHS (MCH & FW)	0	20	0	0	0	20
	DHS (R)	0	0	0	0	36	36
23	Housing						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Housing	1708	10	180	0	0	1898
	Meghalaya State Housing Board	0	0	0	0	0	0
24	Commerce & Industries						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Commerce & Industries	0	190	240	0	0	430
	MIDC Ltd.	0	80	943	0	0	1023
	MCCL	0	0	0	0	0	0
	MKVIB	0	0	0	0	0	0
	MHHDC Ltd.	0	0	0	0	0	0
	MBC Ltd.	0	0	0	0	0	0
	MEDC Ltd.	0	0	0	0	0	0
25	Information & Public Relations						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of IPR	0	30	0	0	0	30
26	Information Technology & Communication						
	Secretariat Deptt.	0	0	0	0	0	0
27	Law						
	Law (A)	0	60	58	0	0	118
	Law (B)	0	40	126	0	0	166
28	Labour	0	0	0	0	0	0
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Employment & Craftsmen Training	0	20	0	0	0	20
	O/o Administrative	0	0	0	0	0	0

	Medical Officer, Employees State Insurance Scheme						
	Chief Inspector of Boilers and Factories	0	20	0	0	0	20
	Labour Commissioner	70	0	0	0	0	70
	Commandant Meghalaya Civil Task Force	0	0	0	0	0	0
29	Mining & Geology						
	Secretariat Deptt.	0	40	0	0	0	40
	Directorate of Mineral Resources	0	1074	0	0	0	1074
30	Planning						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Programme Implementation & Evaluation Deptt.	0	0	0	0	0	0
	Directorate of Economics & Statistics	0	0	0	0	0	0
	MEDC	0	0	0	0	0	0
	Bio - Resource Development Centre, Shillong	0	40	0	0	0	40
	State Council of Science & Technology & Environment	0	0	0	0	0	0
	Shillong Science Centre, Shillong	0	0	0	0	0	0
	Meghalaya State Planning Board	0	0	0	0	0	0
	Meghalaya Resource & Employment Generation Council, Shillong	0	0	0	0	0	0
	Meghalaya Basin Development Authority	0	0	20	204	0	224
	Meghalaya Institute of Governance	0	0	0	0	0	0
	Meghalaya Institute of Entrepreneurship	0	0	0	0	0	0
	Science & Technology Cell	0	0	0	0	0	0

	District Planning Officer	0	126	0	0	20	146
	Planning (Research)	0	0	0	0	0	0
31	Personnel						
	Personnel & AR (A)	104	70	0	0	0	174
	Personnel & AR (B)	0	0	1864	0	0	1864
	DC EK Hills, Shillong	413	4219	684	3480	118	8914
	DC Ribhoi District	0	50	52	0	0	102
	DC West Jaintia Hills District, Jowai	0	70	20	16	0	106
	DC West Khasi Hills	10	40	260	0	16	326
	DC West Garo Hills, Tura	30	120	0	0	0	150
	DC East Garo Hills	0	180	0	0	0	180
	DC South Garo Hills	0	50	0	0	0	50
	MPSC	0	110	180	0	0	290
	Commissioner of Divisions Shillong	0	0	0	0	0	0
		Personnel AR (ARC) Deptt.	0	0	0	0	0
MATI		0	0	0	0	0	0
DC South West Khasi Hills District		0	20	308	0	0	328
DC East Jaintia Hills District, Khliehriat		0	0	0	0	0	0
DC North Garo Hills		0	0	0	0	0	0
DC South West Garo Hills, Ampati		0	40	0	0	0	40
Commissioner of Division, Tura		0	0	0	0	0	0
SDO (C) Sohra		0	10	53	0	0	63
SDO (C) Mairang		0	0	0	0	0	0
SDO (C) Amlarem		0	10	0	0	0	10
SDO (C) Dadenggre		0	0	0	0	0	0
SDO (C) Raksamgre		0	0	0	0	0	0
SDO (C) Mawshynrut		0	0	0	0	0	0
SDO		0	0	0	0	0	0

	(C) Pynursla						
	SDO (C) Chokpot	NA	NA	NA	NA	NA	NA
	All India Service Pre-Examination Training Centre	0	0	0	0	0	0
32	Political						
	Secretariat Deptt.	2	50	0	0	0	52
33	PHE						
	Secretariat Deptt.	0	0	0	0	0	0
	Chief Engineer	270	170	0	1505	200	2145
34	Power						
	Secretariat Deptt.	0	20	518	0	0	538
	MSERC	0	0	0	0	0	0
	MNREDA	0	0	216	0	0	216
	Senior Electrical Inspector, Inspectorate of Electricity	0	0	0	0	0	0
	Meghalaya Power Distribution Corporation Limited	100	0	0	0	30	130
	Meghalaya Power Transmission Corporation Limited	0	40	0	0	0	40
	Meghalaya Power Generation Corporation Limited	0	10	0	0	0	10
	Meghalaya Energy Corporation Limited	0	0	170	0	0	170
35	Printing & Stationery						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Printing & Stationery	0	10	0	0	0	10
36	PWD						
	Secretariat Deptt.	0	0	0	0	0	0
	CE PWD(R)	0	30	0	0	50	80
	CE PWD (NH)	0	Nil	0	0	0	0
	CE PWD (B)	0	10	0	0	0	10
	Meghalaya Govt. Construction Corporation Ltd.	0	20	0	0	0	20
37	Parliamentary Affairs						
	Secretariat Deptt.	0	0	0	0	0	0
38	Meghalaya Bharat Scouts & Guides	0	0	0	0	0	0

39	Revenue & Disaster Management						
	Secretariat Deptt.	0	439	0	0	0	439
	Meghalaya Board of Revenue	0	0	0	0	0	
	Directorate of Land Records & Survey	0	61	0	0	0	61
40	SAD						
	SAD (A)	0	0	0	0	0	0
	SAD (E)	0	60	0	0	0	60
	SAD (N)	0	62	0	0	0	62
	SAD (R)	0	0	0	0	0	0
41	Sports & Youth Affairs						
	Secretariat Deptt.	0	105	0	0	0	105
	Directorate of Sports & YA	0	130	0	0	0	130
42	Social Welfare						
	Secretariat Deptt.	0	210	0	0	0	210
	Directorate of Social Welfare	0	100	30	0	0	130
	Meghalaya State Social Welfare Board	0	0	0	0	0	0
	State Commission for Women	10	10	0	0	0	20
	Commissioner for Person with Disabilities	0	10	0	0	10	20
	State Commission for Protection of Child Rights	0	0	0	0	0	0
	District Social Welfare Officer	0	0	0	0	0	0
	District Programme Officer ICDS Cell	10	20	14	0	0	44
	Child Welfare & Probation Officer I/c Observation Home (Boys)	0	0	0	0	0	0
	Superintendent Training for Self Employment of Women in need of Care & Protection	0	0	0	0	0	0
	Superintendent Observation Home (G) Shillong	0	0	0	0	0	0
43	Soil & Water						

	Conservation						
	Secretariat Deptt.	0	10	6	0	0	16
	Directorate of Soil & Water Conservation	0	190	366	10	20	586
44	Department of Textiles						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate.of Sericulture & Weaving, Department of Textiles	0	0	50	0	0	50
	District Sericulture Officer, Nongpoh	0	0	0	0	0	0
	District Handloom Officer, Jowai	0	0	0	0	0	0
45	Transport						
	Secretariat Deptt.	0	40	0	0	0	40
	Commissioner of Transport	0	230	178	0	0	408
	MTC	0	30	0	0	0	30
	Secretary, State Transport Authority	0	110	0	0	0	110
	District Transport Officer & Regional Transport Authority	365	890	250	250	250	2005
46	Tourism						
	Secretariat Deptt.	0	0	0	0	0	0
	Directorate of Tourism	0	30	0	0	42	72
	MTDC ltd.	0	150	0	0	0	150
47	Urban Affairs						
	Secretariat Deptt.	0	20	148	0	0	168
	Directorate.of Urban Affairs	0	942	0	0	0	942
	Shillong Municipal Board	0	120	212	0	0	332
	Jowai Municipal Board	0	0	0	0	0	0
	MUDA	0	130	158	0	0	288
	Tura Municipal Board	0	10	0	50	0	60
	Williamnagar Municipal Board	0	0	0	0	0	0
	Resubelpara Municipal Board	0	0	0	0	0	0
	Meghalaya Urban	0	20	0	0	0	20

	Development Agency, Shillong						
	Baghmara Municipal Board	0	0	0	0	0	0
48	Legal Metrology Department						
	Controller of Legal Metrology	0	70	2	0	0	72
49	Meghalaya Legislative Assembly	0	0	0	0	50	50
50	Meghalaya High Court	0	0	400	0	0	400
	Chief Judicial Magistrate	0	0	0	0	0	0
51	Governor's Secretariat, Raj Bhavan, Shillong	0	0	0	0	0	0
52	Meghalaya State Information Commission	0	0	0	0	0	0
53	Water Resources Department	0	80	0	0	0	80
54	Prisons Department	0	10	0	0	0	10
	Total	8490	18911	22381	6841	998	57621

Nota Bene: NA = (Information) Not Available

7.6. The data presented in Tables 7.2.1, 7.3.1 and 7.4.1 may not reflect the complete picture of the RTI activities that had taken place during the year as some Public Authorities have 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 defaulting Public Authorities.

Table 7.6.1 below shows the names of the Departments and Public Authorities who failed to furnish the requisite information for incorporating the same in the Annual Report 2018.

Sl.No.	Name of the Department	Name of the defaulter Public Authority
1	C & RD Department	Project Director, Ribhoi District, Nongpoh
		Project Director, West Garo Hills, Tura
		Project Director South West Khasi Hills, Mawkyrwat
2	Finance (Establishment) Department	Directorate of Local Accounts, Shillong
		Directorate of Small Savings, Shillong
3	Personnel & AR (B) Department	SDO (C), Chokpot

Chapter 7

Key initiatives undertaken by some Government Departments and Public Authorities in implementing the RTI Act, 2005

(Record management, computerization & networking, suo motu disclosures, etc.)

Reporting Year 2018

Sl. No.	Name of Departments/ Public Authorities	Key initiatives undertaken during the year / Remarks
1	2	3
1	Agriculture	
	Directorate of Agriculture	Record management fully computerized.
2	Border Areas Development	
	Directorate of Border Areas Development	<ol style="list-style-type: none"> 1. Schemes/Projects sanctioned have been duly displayed for public information through media networks and Notice Boards in offices. 2. Feedback is given and will always be ready to support Appellate Authorities on any matter concerning the Department. 3. Voluntary Organisations and other NGOs are encouraged to use the RTI Act, 2005 for any grievances with regard to the schemes. 4. Pro-active disclosure is made in the form of displaying the list of schemes implemented in the Notice Board of the Office for public information. 5. Files and detail records on the implementation of Schemes under SCA Office expenditure and other official related matters are available and maintained in the Office.
3	Cooperation	
	Registrar of Cooperative Societies	Proper record management process is in place and computerized.
	Meghalaya State Warehousing Corporation	The Accounts of the Corporation, etc. are computerized.
4	Education	
	DERT	Updated content with regard to Suo motu disclosures.
	DSEL	Orders and directions given by the State Chief Information Commissioner were given to all the PIOs under the Directorate to comply and strictly adhere to.
5	ERTS	
	Inspector General	Sou-Motu disclosure sent to the District Informatics Officer, to

	of Registration & Superintendent of Stamps	display in the District Website.
6	Forest & Envir.	
	O/o PCCF & HoFF	Storage of data in computer for future use and RTI purposes.
	O/o Addl. PCCF (Social Forestry & Environment)	Storage of data in computer for future use and RTI purposes.
	O/o PCCF (CC, Research & Training)	Storage of data in computer for future use and RTI purposes.
	O/o PCCF (Territorial)	Storage of data in computer for future use and RTI purposes.
	O/o Addl. PCCF (WL & CWLW)	Storage of data in computer for future use and RTI purposes.
7	GAD	
	GAD (A)	Maintenance of RTI Register and Record Management for quick disposal of information.
8	Home (Jails)	
	Director General of Prisons	Website has been launched and also e-prison project has been launched in 3(three) District Jails, i.e. Shillong, Jowai and Nongpoh
9	Labour	
	Directorate of Employment & Craftsmen Training	1) Framing and uploading of Citizen's Charter in the Directorate Web's Portal. 2) Framing of Result Frame Work Document.
	Chief Inspector of Boilers and Factories	Materials required for information sent to NIC for creation of Departmental Website under Section 4 of the RTI Act, 2005
10	Mining & Geology	
	Secretariat Deptt.	Records, Management are maintained in a register.
	Directorate of Mineral Resources	Records are being Computerized.
11	Planning	
	Secretariat Deptt.	Updation of all information and preparation of RTI Manual is under way.
	Directorate of Programme Implementation & Evaluation Deptt.	Updation of all information and preparation of RTI Manual is under way.
	Directorate of Economics & Statistics	The Directorate including its District Offices is trying to update all information through its various publications released every year.
	M.E.D.C.	
	Bio. Resource Development Centre, Shillong	The Centre has complied to obligations of Public Authorities mandated in Section 4(I) (b)
	State Council of Science & Technology & Environment	Record management maintained. Computerization & Networking, Sou motu disclosures etc. updating.

	District Planning Office	Net Working DIO, Shillong. Suo motu disclosures are updated from time to time in the official website of the District through the DIO.
12	Personnel	
	DC West Jaintia Hills District, Jowai	Basic information on the functioning of the office is being uploaded in the District's website. The information includes : (a) Aims and Objectives (b) Functions (c) Details of FAA/PIO/APIO (d) Schemes & Programmes
		Suo motu disclosure of various Schemes in the Notice Board
		Voluntary Organisations and other NGOs are encouraged to use RTI Act, 2005 for transparency and accountability.
	Deputy Commissioner, West Khasi Hills	Pro Active disclosure of information under Section 4(1)B of the Right to Information Act, 2005. All records (list of beneficiaries) are kept in the Website "WEST KHASI HILLS.GOV.IN". Sou-motu disclosures sent to the District Informatics Officer, to display in the District Website.
	MATI	1. Trainings on RTI at District, Sub-Division & Block Level. 2. Trainings of Trainers programme on RTI held for Middle Level Officers of Meghalaya with effect from 3 rd -4 th December, 2018 at MATI, Shillong and 6 th – 7 th December, 2018 at SMELC, Tura to enhance pool of trainers on RTI Act, 2005.
	DC South West Khasi Hills District	Suo Motu disclosure have been uploaded in the District Website. Uploading of key benefits implemented through the Department in the Portal of SWKH (Disclosure of information) Records maintained and computerized.
	DC South West Garo Hills, Ampati	Computerized & Networking at regular interval.
	SDO (C) Dadenggre	Most of the information generally sought are placed on the official website or the Notice Board.
	13	PHE
Chief Engineer		Necessary information have been displayed in the office notice board. Information regarding implementation of scheme/projects has been fed online.
14	Power	
	Meghalaya Power Distribution Corporation Limited	Most information are available in MeECL website.meecl.nic.in
15	Printing & Stationery	
	Directorate of Printing &	1. All information advertisements in the Meghalaya Gazette are being posted in the website for Public awareness.

	Stationery	2. The Braille Press, being set up at the Govt. Press has started functioning and is taking up printing of Braille material for the visually impaired students of the state.
16	PWD	
	CE PWD (NH)	Maintenance of RTI Register for quick disposal of information.
17	Social Welfare	
	Secretariat Deptt.	Record of requests for information and disposal of requests are being maintained in the Registers.
	Directorate of Social Welfare	1. Record of requests for information and disposal of requests are being maintained in the Registers.
		2. Maintenance of Appropriate Register under RTI Act, 2005 by the Public Authorities in Accordance with the Proforma.
		3. Office Staff were orientated to facilities collection of information by anybody interested/desired on the maintain transparency.
	State Commission for Protection of Child Rights	1. Record of requests for information and disposal of requests are being maintained in the Registers.
		2. Maintenance of Appropriate Register under RTI Act, 2005 by the Public Authorities in Accordance with the Proforma.
3. Office Staff were orientated to facilities collection of information by anybody interested/desired on the maintain transparency.		
	District Social Welfare Officer	1. Record of requests for information and disposal of requests are being maintained in the Registers.
		2. Maintenance of Appropriate Register under RTI Act, 2005 by the Public Authorities in Accordance with the Proforma.
		3. Office Staff were orientated to facilities collection of information by anybody interested/desired on the maintain transparency.
	District Programme Officer ICDS Cell	1. Record of requests for information and disposal of requests are being maintained in the Registers.
		2. Maintenance of Appropriate Register under RTI Act, 2005 by the Public Authorities in Accordance with the Proforma.
		3. Office Staff were orientated to facilities collection of information by anybody interested/desired on the maintain transparency.
		4. All request received during the year 2018 has been disposed during the same year.
	Child Welfare & Probation Officer I/c Observation Home (Boys)	1. Record of requests for information and disposal of requests are being maintained in the Registers.
		2. Maintenance of Appropriate Register under RTI Act, 2005 by the Public Authorities in Accordance with the Proforma.
		3. Office Staff were orientated to facilities collection of information by anybody interested/desired on the maintain transparency.
	Superintendent Training for Self Employment of Women in need of	1. Record of requests for information and disposal of requests are being maintained in the Registers.
		2. Maintenance of Appropriate Register under RTI Act, 2005 by the Public Authorities in Accordance with the Proforma.

	Care & Protection	3. Office Staff were orientated to facilities collection of information by anybody interested/desired on the maintain transparency.
	Superintendent Observation Home (G) Shillong	1. Record of requests for information and disposal of requests are being maintained in the Registers.
		2. Maintenance of Appropriate Register under RTI Act, 2005 by the Public Authorities in Accordance with the Proforma.
		3. Office Staff were orientated to facilities collection of information by anybody interested/desired on the maintain transparency.
18	Soil & Water Conservation	
	Directorate of Soil & Water	Sou Motu Disclosures.
19	Transport	
	District Transport Officer & Regional Transport Authority	Notification etc. of the Right to Information Act duly published and display in the notice Board.
		Immediate response and action through computerization.
20	Tourism	
	Directorate of Tourism	Suo Motu public Proactive disclosures Sec-4 of RTE Act, 2005
21	Urban Affairs	
	Jowai Municipal Board	Records management through files and register.

“Sir, it has been found that it is not enough that Governments should go to the people once in five years. It is necessary to find other means of empowering our citizens to feel that processes of governance truly serve the public purpose. The right to information is a quest for that sort of mechanism, which will empower our citizens with information, which enables them to judge for themselves whether or not Governments are functioning in accordance with what can be considered as public interest in the widest possible sense of the term. Sir, it goes without saying that all information can be misused also. Therefore, much will depend upon how information seekers approach their tasks. I do recognize the dangers that are inherent in such a situation because in our society information is power. But, one way of ensuring that this power is as widely distributed as possible is to ensure that access to information is not a monopoly of the few. Therefore, I do feel that there is not going to be that much danger of the misuse of the powers that the right to information confers on our citizens. Therefore, I feel, with the passage of this Bill, we see the dawn of a new era in governance processes – an era which will ensure that benefits of growth flow to all sections of society, an era which will eliminate the scourge of corruption, an era which will bring the common man’s concerns to the heart of all the process of governance, an era which will truly fulfil the hope of the founding fathers of our Republic” [*Address of Dr. Manmohan Singh, Hon’ble Prime Minister, in the Rajya Sabha during the debate on the RTI Bill on 12.05.2005*].

Important provisions of the Right to Information Act, 2005

- The Act was enacted with a view to set out a practical regime for the citizens to secure information as a matter of right.
- A citizen has the right to seek from a public authority such information which is held by it or which is under its control. This right includes inspection of work, documents and records; taking notes, extracts or certified copies of documents or records; and taking certified samples of information held by the public authority. A citizen has the right to obtain information from a public authority in the form of diskettes, floppies, tapes, video cassettes or in any other electronic medium or through print-outs, provided such information is already stored in a computer or in any other electronic device.
- In the normal course, information to an applicant shall be supplied within 30 days from the receipt of application by the public authority. If information sought concerns the life or liberty of a person, it shall be supplied within 48 hours. If an applicant is not supplied information within the prescribed time or is not satisfied with the information furnished to him, he may prefer an appeal to the Department Appellate Authority (DAA) or First Appellate Authority (FAA) who is an officer senior in rank to the Public Information Officer (PIO). Such an appeal should be filed within a period of thirty days from the date on which the information or decision of the PIO is received. The FAA shall dispose of the appeal within a period of 30 days or in exceptional cases within 45 days of the receipt of the appeal. If the FAA fails to pass an order on the appeal within the prescribed period or if the appellant is not satisfied with the order of the FAA, he may prefer a second appeal with the Information Commission within 90 days from the date on which the decision should have been made by the FAA or was actually received by the appellant.
- A citizen who desires to seek some information from a public authority is required to send, along with the application, a demand draft or a banker's cheque or an Indian Postal Order of Rs. 10/- (Rupees ten), payable to the Accounts Officer of the public authority as fee prescribed for seeking information. The payment of fee can also be made by way of cash to the public authority or to the Assistant Public Information Officer (APIO), against a proper receipt. The applicant may also be required to pay further fee towards the cost of providing the information, details of which shall be intimated to the applicant by the PIO as prescribed by the RTI Rules 2012. Rates of fee as prescribed in the Rules are given below: (a) rupees two (Rs. 2/-) for each page (in A-3 or smaller size paper); (b) actual cost or price of a photocopy in larger size paper; (c) actual cost or price for samples or models; (d) rupees fifty (Rs. 50/-) per diskette or floppy; (e) price fixed for a publication or rupees two per page of photocopy for extracts from the publication and (f) so much of postal charges involved in supply of information that exceeds fifty rupees. For inspection of records, the public authority shall charge no fee for the first hour. But a fee of rupees five (Rs. 5/-) for each subsequent hour (or fraction thereof) shall be charged. A below poverty line (BPL) applicant, having proper documentary proof, is not required to pay any fee.
- The decisions of the Commission are binding. The public authority should ensure that the orders passed by the Commission are implemented. If any public authority or a PIO is of the view that an order of the Commission is not in consonance with the provisions of the Act, it may approach the High Court by way of a Writ Petition.

- If the PIO has, without any reasonable cause, refused to receive an application for information or has not furnished information within the time specified under sub-section (1) of section 7 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, the State Information Commission shall impose a penalty of Rs. 250/- each day till application is received or information is furnished, however, the total amount of such penalty shall not exceed Rs. 25000/-; provided that the PIO 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 PIO. The State Information Commission shall recommend for disciplinary action against the PIO under the service rules applicable to him, besides pecuniary penalty {Section 20 (1) & (2)}.