

GOVERNMENT OF MEGHALAYA  
OFFICE OF THE STATE INFORMATION COMMISSION,  
MEGHALAYA:::::SHILLONG

No. MIC/Complaint/38/2006/

Dated Shillong, the 25<sup>th</sup> June, 2007

**ORDER**

**25-6-2007** The DAA and the PIO are present in the Commission today. The petitioner is also present.

Seen the show cause received from the DAA on the proposed imposition of penalty, for failure to make available the information to the petitioner.

Heard the submission of the DAA and the PIO and also heard the submission of the petitioner.

Considering the fact as presented by the PIO and the DAA that the present incumbents namely the PIO and the DAA are not responsible for the loss of the file which was not in active circulation since 1993 and the fact that the people responsible for its safe keeping were dead and no longer available for inquiry, the Commission is inclined to take lenient view and to review the decision on imposition of penalty on the PIO for failure to supply the information to the complainant on condition that the file No. MEG/CE-55/93 or its contents pertaining to the information requested for by the petitioner which is reported lost, shall not be produced/made available to any other forum/authority. Otherwise the case will be treated as willful denial of information and liable to pay a penalty @ Rs.250/- per day subject to a maximum of Rs. 25000/- with effect from 25-6-2007.

Considering the hardships and harassment caused to the petitioner over the last eight months or so for seeking information which she could obtained only partially, the Commission, in exercise of the power conferred on it under Section 19(8)(b) of the Right to Information Act, hereby required the public authority viz., the Commissioner of Excise, Govt. of Meghalaya, Shillong to pay an amount of Rs.5000/- (Rupees five thousand)only the way of compensation to the complainant for the detriment suffered by her, within a period of 20 days, with intimation to the Commission.

( G.P.Wahlang )

C.I.C.

**Memo.No. MIC/Complaint/38/2006/**

**Dated Shillong, the 25<sup>th</sup> June, 2007**

Copy forwarded to:-

1. The D.A.A.,Excise Department, Govt. of Meghalaya.
2. PIO, Excise Department, Govt. of Meghalaya.
3. Smti. Irene P.Hujon, Howell Road, Laban, Shillong – 793004.

**Under Secretary,  
State Information Commission,  
Meghalaya, Shillong.**