

MEGHALAYA INFORMATION COMMISSION, SHILLONG

...

No.MIC/Appeal/57/2008/

Shri K.F.Rangad, Queen Ville, Laban, Shillong - Appellant

- Vrs -

(1) The P.I.O., Raid Laban College, Shillong
(2) The D.A.A., viz., the Commissioner & Secretary,
Higher & Technical Education, Govt. of Meghalaya, Shillong. } Respondents

6-11-2008

ORDER

The Respondent is present in the Commission today through Shri S.K.Jindal, Advocate an authorized representative. The Appellant is however absent.

The Respondent filed an affidavit claiming that the Raid Laban College, Shillong is a purely private College is having small adhoc grant-in-aid from the State Govt. earlier which has now been stopped and therefore this is purely and totally a private institution outside the scope of public authority U/S 2(h) of the Right to Information Act, 2005. Further the management of the Raid Laban College, Shillong is not controlled or subsequently financed by the Govt. of Meghalaya.

The Commission noted vide letter No. EDN 113/2007/38 Dated 10th May, 2007 the Department of Education, Govt. of Meghalaya while furnishing the list of public authorities, DAAs, PIOs, APIOs in the State is included the name of Raid Laban College as one of the public authority of the Department. In view of the claim made by the Respondent, it is necessary for the Department of Education to justify the claim of the Raid Laban College, Shillong as a public authority under the Right to Information Act. Neither the Commissioner & Secretary nor any officer of this Department has been present at the hearings of the case conducted so far and is also not favoured with the Commission's stating their position. The Commission directed the Commissioner & Secretary, Education, Govt. of Meghalaya to furnish an affidavit justifying the claim of the Department that Raid Laban College is a public authority. Let the copy of the affidavit be sent to the Commissioner & Secretary, Education for necessary action. Failure by the Education Department to take necessary steps at the next hearing of the case, the Commission will have no alternative decision but make an ex-parte decision.

Fixed **24-11-2008 at 11:00 AM** for hearing of the case.

(G.P.Wahlang)
State Chief Information Commissioner.

Memo.No.MIC/Appeal/57/2008/

Dated Shillong, the 6th November, 2008

Copy to:-

1. The P.I.O., Raid Laban College, Shillong.
2. The D.A.A., viz., the Commissioner & Secretary, Higher & Technical Education, Govt. of Meghalaya, Shillong.
3. Shri K.F.Rangad, Queen Ville, Laban, Shillong.

(P.T.Rani)
Under Secretary,
Meghalaya Information Commission.