

MEGHALAYA INFORMATION COMMISSION, SHILLONG

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No.MIC/Appeal/62/2008/9,

Shri Smek Marboh of Lawsohtun, Shillong - Appellant

-Vrs-

Shri R.Wanniang, Jt. Secretary to the Executive Committee, - Respondent
Khasi Autonomous District Council, Shillong, - D.A.A.

14-11-2008

ORDER

The Respondent and the Appellant are both present in the Commission today.

The Appellant in this case is Shri Smek Marboh of Lawsohtun. The fact of the case is as follows:

Vide application dated 4-4-2008 the Appellant made a request for information under the RTI Act before the Syiem of Hima Khyrim. Failing to receive the information within the statutory period of 30 days, he preferred the first appeal before the Respondent who is the D.A.A., KHADC on 9-7-2008. Failing to receive any decision of the first Appellate Authority within the statutory period he subsequently made the second appeal before the Commission on 1-9-2008.

Having examined the matter, the Commission found that the Syiem of Hima Khyrim is not the PIO under the list of PIOs designated by the Public Authority of the K.H.A.D.C. Therefore the application dated 4-4-2008 submitted by the Appellant before the Syiem of Hima Khyrim is not a valid RTI Application. However, the appeal before the D.A.A., of the Public Authority is correctly made. In such cases, it is the duty of the D.A.A. to pass necessary Orders indicating the deficiencies of the original RTI Application with necessary advice to the Appellant. In the instant case, the D.A.A. has failed to discharge the duty expected of him as such D.A.A. The D.A.A., expressed regret of omission in the instant case and affirmed his willingness to extend full assistance to information seekers in future.

The D.A.A., has also filed an affidavit as required by the Commission vide Order dated 22-9-2008.

Case disposed of.

(G.P.Wahlang)
C.I.C.

Memo.No.MIC/Appeal/62/2008/9-A

Dated Shillong, the 14th November, 2008

Copy to:-

- (1) Shri R.Wanniang, Joint Secretary, Executive Committee, K.H.A.D.C., Shillong, - D.A.A.
- (2) Shri Smek Marboh, C/o Agnes Lynshiang, Block – I Lawsohtun, Shillong – 4, Phone – 9856003173.

(P.T.Rani)

Under Secretary,
Meghalaya Information Commission,
Shillong.