

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

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No. MIC/Complaint/16/2008/Pt. III

Dated Shillong, the 20th Feb, 2008

ORDER

21-02-2008 Seen Complaint petition dated 13-02-2008 from D.L.Mawnai of Mairang West Khasi Hills District.

According to the Complainant, an R.T.I. application dated 7-01-2008 was addressed to the Assistant P.I.O. Mairang C.D.Block by Shri. K.S.Rani and duly received by him but the A.P.I.O. did not furnish the information requested for till date.

Having perused the petition the Commission found that:

(i) The Complaint is being made against the A.P.I.O. Under the R.T.I. Act, a complaint or an appeal for denial of information is to be made against the P.I.O. who is the proper authority to furnish or deny the information and not against the A.P.I.O. whose function is only to receive and transfer the application for information to the P.I.O.

(ii) While the application for information was submitted by Shri. K.S.Rani the Complaint petition was not filed by him but by another person namely Shri. D.L.Mawnai. The R.T.I. Act speaks of a citizen of India which is a particular person having a specific name. Only the citizen by name has the right to access information through the process of filing an application for it and filing a complaint or an appeal for refusal or denial of information by the P.I.O. and no other citizen or person can therefore file an appeal or a complaint on his behalf.

Such being the case, the Commission decides to reject the complaint petition as being invalid.

(G.P.Wahlang)

Chief Information Commissioner

Memo No. MIC/Compaint/16/2008/Pt III/

Dated Shillong, the 20th Feb, 2008

Copy forwarded to:

1. The P.I.O., Community & Rural Development Block, West Khasi Hills District, Nongstoin.
2. The A.P.I.O., Shri. K.L.Nongbri, BDO, Mairang Community & Rural Development Block, Mairang, West Khasi Hills.
2. Shri. D.L.Mawnai, General Secretary, c/o Hynniewtrep National Youth Front, Mairang Sub Division Circle, Mairang.

(P.T.Rani)

Under Secretary
State Information Commission
Meghalaya, Shillong.

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