

MEGHALAYA INFORMATION COMMISSION, SHILLONG

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No.MIC/Complaint/48/2008/5

Shri Smek Marboh of Lawsohtun, Shillong - Appellant

-Vrs-

D.A.A., Khasi Autonomous District Council, Shillong - Respondent

30-7-2008

ORDER

The appellant in this case is one Shri Smek Marboh of Lawsohtun, East Khasi Hills, Shillong. According to him he filed an RTI application dated 4-4-2008 to the PIO, Hima Khyrim, Khyrim Syiemship, Smit, Meghalaya seeking certain information. The concerned PIO failed to furnish him information in time as a result, he preferred the first appeal before the D.A.A., KHADC, Shillong. The date has not been mentioned in his application but it appears to have been receipt by the D.A.A., KHADC on 9-7-2008. Failing to receive the decision of the DAA, he has preferred the instant appeal before this Commission on 24-7-2008 which was received in the Commission on 28-7-2008.

U/S 19(6) of the Right to Information Act, the appeal made to the first appellate authority/DAA shall be disposed within a period of 30 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, for reasons to be recorded in writing. According to the appeal petition, the appellant had filed the first appeal before the DAA, KHADC on 9-7-2008 and received by the D.A.A., the same day. As the Law allowed 30 days or an extended period of 45 days for disposal of any appeal petition by the D.A.A., and the statutory period has not expired, the filing of the second appeal before this Commission is, therefore, premature and does not warrant any intervention by this Commission.

The appeal petition is dismissed.

(G.P.Wahlang)

C.I.C.

Memo.No.MIC/Complaint/48/2008/5-A

Dated Shillong, the 30th July, 2008

Copy to:-

- (1) Shri Smek Marboh, C/o Agnes Lynshiang, Block – I Lawsohtun, Shillong – 4, Phone – 9856003173.
- (2) The D.A.A., Khasi Hill Autonomous District Council, Shillong.

(P.T.Rani)

Under Secretary,
Meghalaya Information Commission,
Shillong.