

**MEGHALAYA STATE INFORMATION COMMISSION,
SHILLONG**

No.MIC/Appeal/66/2009/5

Shri Alister N. Diengdoh, Mawlai Umjaiur, Shillong - Appellant

-Vrs-

(1) Director, Housing, Govt. of Meghalaya (DAA)
(2) PIO, Directorate Housing, Govt. of Meghalaya } Respondents

24-7-2009

ORDER

Perused second appeal dated 20-7-2009 received in the Commission on 21-7-2009.

The case of the appellant is that he filed an RTI application before the PIO, Housing Department, Govt. of Meghalaya, on 23-4-2009 asking for the invoices given by the Steel Authority of India Ltd., to M/S O.B. Tariang for purchase of C.G.I. Sheet to enable to compare with the invoices submitted by M/S O.B. Tariang to the State Housing Department. However, the PIO vide his letter No. DH/Tech/8/2006/52 dated 8-5-2009 responded to the appellant stating that the information sought for is not available in his office as there was no such clause in the terms and conditions of the supply Order.

Not satisfied with the response given by the PIO, the appellant has preferred the first appeal before the First Appellate Authority viz., the Director, Housing Department, Govt. of Meghalaya, vide letter dated 3-6-2009, the First Appellate Authority vide letter No. DH/Tech/RTI/1/2009/2 dated 22nd June, 2009 confirmed the response given by the PIO.

Not satisfied with the response of the First Appellate Authority, the appellant had preferred the instant second appeal before the Commission.

The PIO vide his response dated 8-5-2009 has clearly indicated that the information was not available in his office as there was no clause in the terms and condition of the supply Order which would require M/S O.B. Tariang to furnish the invoices given by the Steel Authority of India Ltd., for purchase of C.G.I. sheet. Since the information does not exist, the question of denial/refusal does not occur unless the appellant could produce evidence before the Commission that the information in fact exists with the public authority. Since no such evidence has not been put forward by the appellant, the Commission finds no reason for intervention.

The appeal is dismissed.

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

Memo. No.MIC/Appeal/66/2009/5-A

Dated Shillong, the 24th July, 2009.

Copy to:-

1. The Director, Housing Department, Govt. of Meghalaya (DAA).
2. The P.I.O., Directorate of Housing, Govt. of Meghalaya.
3. Shri Alister N.Diengdoh, Mawlai Umjaiur, Block – 1, Shillong (Phone – 94361-16679).

(P.T.Rani)

Under Secretary,
Meghalaya State Information Commission,
Shillong.