

MANIPUR INFORMATION COMMISSION

GROUND FLOOR, SECRETARIAT NORTH BLOCK
BEHIND WESTERN BLOCK
IMPHAL, MANIPUR



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1. **Appeal Case No. 5 of 2017**
 2. **Appeal Case No. 6 of 2017**
 3. **Appeal Case No. 7 of 2017**

Mr. Ramthing Hungyo

..... Appellant.

-Vs.-

The SPIO/Executive Director(DRDA), Ukhrul District, Manipur & Another.

..... Respondents.

D E C I S I O N

Dated 16 March 2017

The FAA is absent. The SPIO is represented by Shri L. Warngham, SO/DRDA, Ukhrul. The appellant is also present.

This case is heard along with Appeal Cases No. 5 and 6 of 2017 being analogous. The brief fact of the cases is that the appellant, Shri Ramthing Hungyo had filed his RTI applications to the SPIO/Executive Director, DRDA, Ukhrul on 27-6-2017 thereby seeking certain information regarding MLA, Local Area Development Project of 43 (ST) Phungyar Assembly Constituency, 44 (ST) Ukhrul Assembly Constituency and 45 (ST) Chingai Assembly Constituency. Getting no information from the SPIO within the mandated time, the appellant had approached the First Appellate Authority on 6-10-2016 under section 19(1) of the RTI Act, 2005. And, the First Appellate Authority/Secretary (RD & PR) had disposed of the 3 (three) First Appeals on 4-11-2016 with a direction to the SPIO to furnish the requested information free of charge within a week's time.

Having no information from the SPIO/respondents, the appellant had filed the present Appeal Cases before this Commission on 19-1-2017. The Commission served notice dated 20-1-2017 to both the SPIO and FAA to appear before this Commission in person or by person(s) duly authorized on this behalf on 8-2-2017 at 11.00 a.m. and for filing their written statement against the appeal. However, both SPIO and FAA failed to appear and file their written statements on 8-2-2017 and accordingly, the Commission, after perusal of case records, had passed a decision upholding the decision of the FAA and SPIO was once again directed to furnish the information to the appellant, free of charge, within a week's time. Further, the SPIO was served show cause notices returnable within two weeks on why a penalty @ Rs. 250/- per day at a maximum of Rs. 25,000/- should not be imposed on him for not obliging the direction of the FAA. Both the FAA and SPIO also failed to present in the hearing on 25-2-2017 and the SPIO did not give any reply to the show-cause notice.

During the hearing today, the appellant submitted that inspite of the repeated assurance given by the official(s) of the Public Authority, the SPIO failed to provide the requested information till date and as such he requested before the Commission to impose penalty to the SPIO as per provisions of the RTI Act, 2005.

Shri L. Warngham, SO/DRDA, Ukhrul who represented the SPIO in the hearing of First Appeals, was also present today on behalf of the SPIO and produced a letter dated 11-11-2016 of the DC/Executive Director, DRDA, Ukhrul addressed to

Contd. 2/-

the appellant with enclosures containing the information in respect of Phungyar-43(ST), Ukhrul-44(ST) and Chingai-45(ST) and the same was handed over to the appellant today before this Commission.

After hearing from both parties and perusal of case records, the Commission is of the view that not only non-compliance of the direction of the FAA dated 4-11-2016 and direction of the Commission dated 8-2-2017 and 25-2-2017, the SPIO failed either to appear before the Commission on the days of hearing or submit his written explanation to the show cause notice on why a penalty @ Rs. 250/- per day at a maximum of Rs. 25,000/- should not be imposed on him for not obliging the direction of the FAA within the stipulated time. The Commission also wondered why the reply to the RTI query signed by the DC/ED(DRDA), Ukhrul on 11-11-2016 had not been handed over / dispatched to the appellant till today. For the reason stated hereinabove, the Commission directs the SPIO/DC/ED(DRDA) Ukhrul to conduct an enquiry within a period of one week on who is/are responsible for non-delivery of the letter dated 11-11-2016 of the DC/ED(DRDA), Ukhrul along with enclosures to the appellant in time. The Commission further directs Shri M.J. Pradip Chandran, SPIO/DC/ED(DRDA), Ukhrul and persons responsible for non-delivery of the letter dated 11-11-2016 to the appellant to pay a penalty of Rs. 25,000/- (Rupees twenty five thousand) one prorata sharing basis for non-furnishing of the information to the appellant within the stipulated time inspite directions of the FAA dated 4-11-2016 and the Commission dated 8-2-2017 and non-furnishing of reply to the show-cause notices of the Commission dated 8-2-2017 and 25-2-2017 pertaining to the 3(three) appeal cases.

The above penalty shall be paid within a period of 1(one) month from the date of receipt of this order and the amount may be deposited to the following head of accounts:

Major Head 0070 – Other Administrative Services
Sub-Major 01 – Administration of Justice
Major 501 – Services & Service Fees

A copy of the challan may be submitted to this Commission within 45(forty five) days from today.


With the above direction, the 3 (three) Appeals Cases are closed with liberty given to the appellant to approach the Commission by filing a Misc. application in case, he has any further grievance relating to the 3 (three) Appeals cases.

Sd./-

Th. Ibobi Singh

State Chief Information Commissioner
Manipur Information Commission

Authenticated true copy:


(S. Inao Singh)
Deputy Registrar(Judl.I)
Manipur Information Commission

Copy to:

1. The FAA/Principal Secretary (RD & PR), Govt. of Manipur.
2. The SPIO/Executive Director (DRDA), Ukhrul District, Manipur.
3. Mr. Ramthing Hungyo, SO's Quarter 9/A, 2nd MR, Imphal # 8974544235
4. File No. A/5(P)/SCIC-2017
5. File No. A/6(P)/SCIC-2017
6. File No. A/7(P)/SCIC-2017

Phone call - 18-3-17

Ramthing Hungyo
18.3.17

